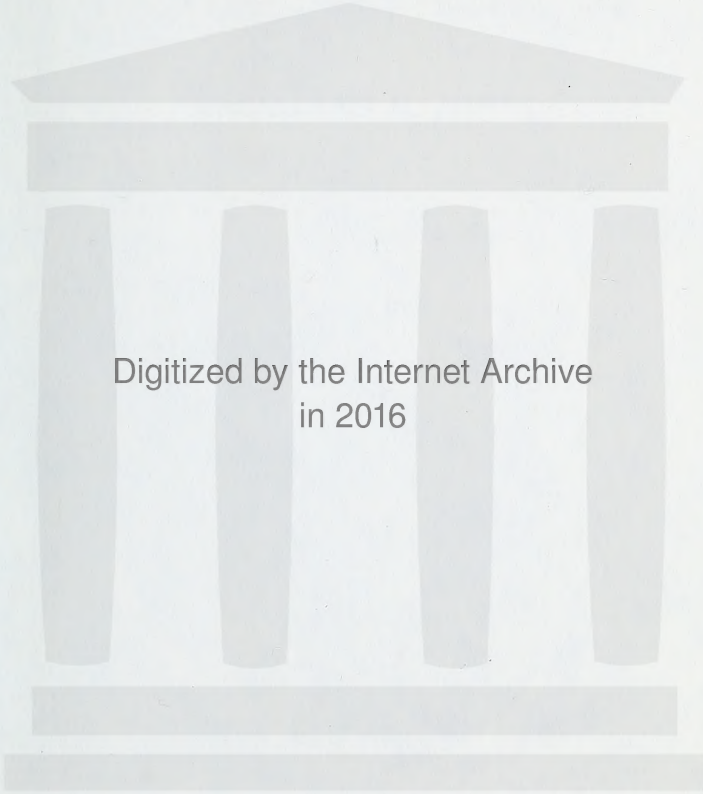
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HISTORY OF GEORGIA.

BY

CHARLES C. JONES, JR., LL. D.

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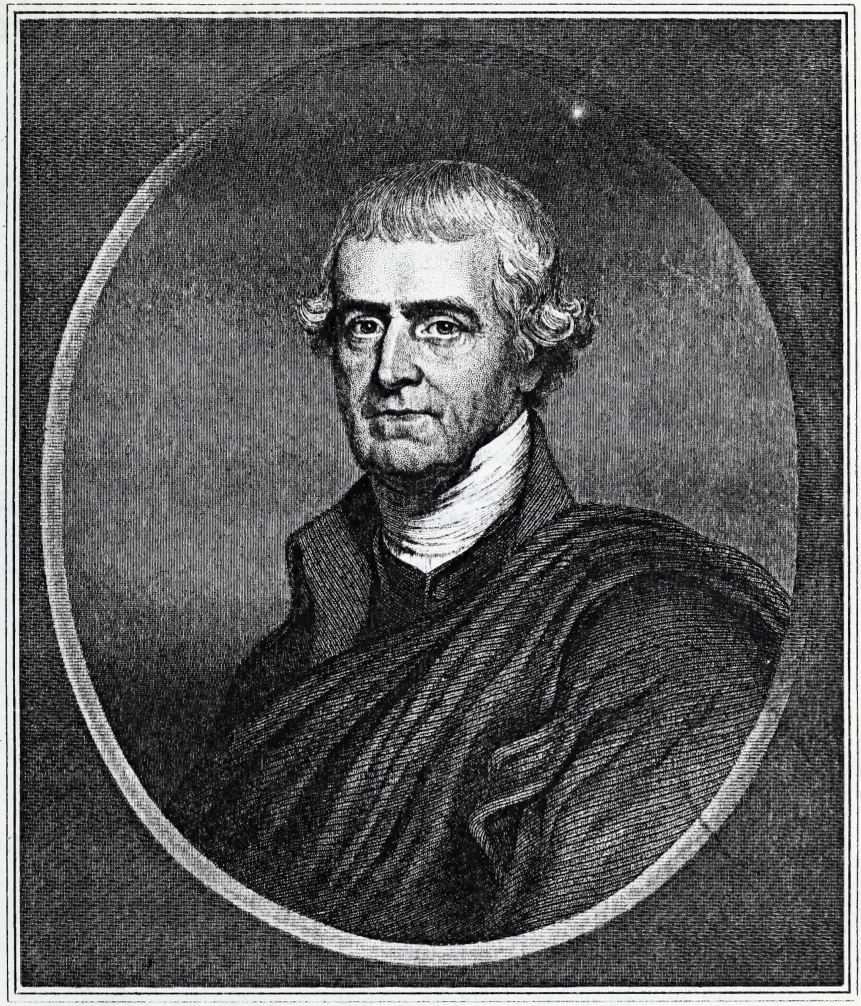
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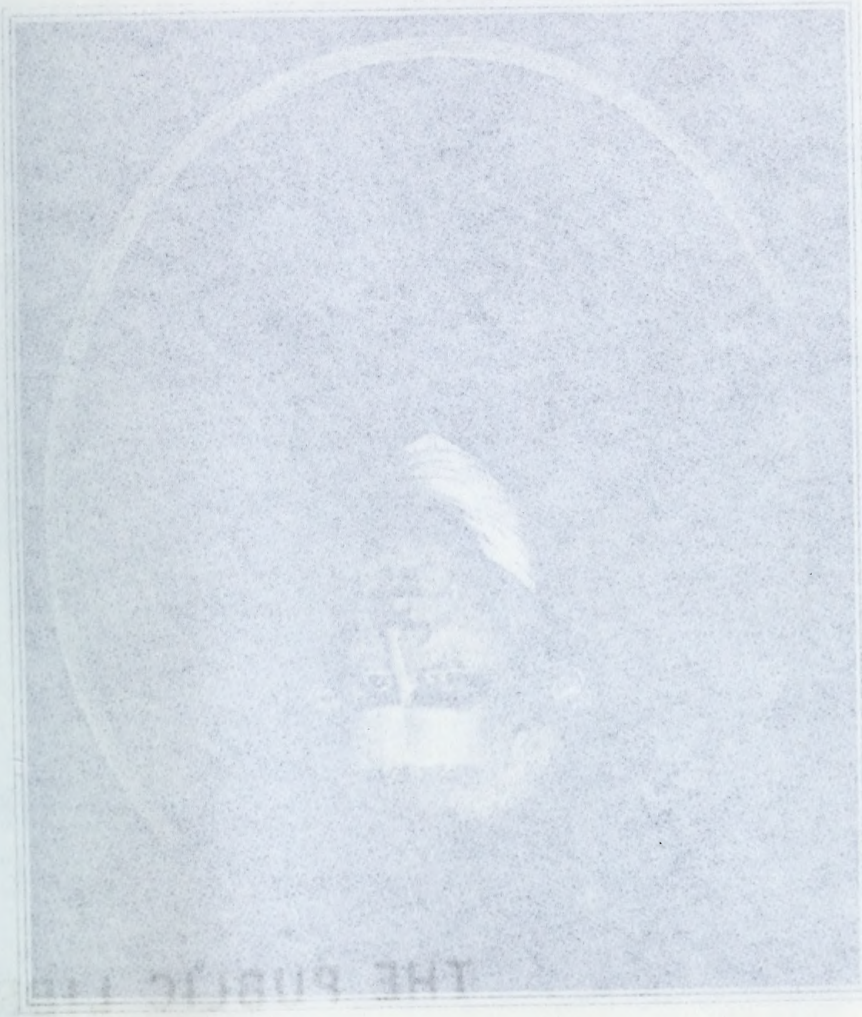
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THE HISTORY OF GEORGIA.

CHAPTER I.

Sir James Wright. — His Fitness for the Gubernatorial Office. — War between the Cherokees and the South Carolinians. — Conduct of Governor Lyttleton. — Attakullakulla. — Colonel William Bull. — Affair near Etchoe. — Surrender of Fort Loudoun. — Treachery of the Cherokees. — Captain Stuart's Escape. — Fort Prince George threatened. — Lieutenant-Colonel James Grant. — Etchoe reduced to Ashes. — The Cherokee Territory devastated. — The Savages sue for Peace.

The selection of James Wright, Esq., as the successor of Governor Ellis was appropriate and acceptable. Although a native of South Carolina, of which province his father, Sir Robert Wright, was the chief justice, he was loyal to the traditions of an ancient and honorable English family and unswerving in his allegiance to the British Crown. Having for a period of twenty-one years been the attorney-general of Carolina, to his knowledge of the laws of the realm he united a thorough acquaintance with the sentiments and needs of the Southern colonies. His legal acquirements, business habits, familiarity with the conduct of colonial affairs, and unquestioned probity admirably qualified him for the prompt and efficient discharge of the duties appertaining to the gubernatorial office. He was also a gentleman of courage, whose honesty of purpose and strict adherence to duty could be shaken neither by threats nor by offers of personal gain. Although assuming the reins of government in the sunlight of peace, he was destined to encounter the storms of the Revolution, and, in a brave adherence to the cause of his royal master, to suffer arrest, banishment from the colony, mortification, and loss. It was his lot to preside at an epoch full of doubt and trouble. During his administration the political ties which united Georgia to the mother country were violently sundered, and a union of American colonies was formed which in after years developed

into a Republic than which there now exists no more puissant government in the sisterhood of nations. Throughout his official career, despite the difficulties which environed, he was at all times faithful to his trust, courageous in the performance of his duties, wise in the administration of governmental affairs, and sagacious in his political views and suggestions. The more closely it is scanned and the more intelligently it is comprehended, the more praiseworthy, from a loyal standpoint, appears his conduct. Georgia may well be proud of the capabilities and reputation of the third and last of her royal governors.

Through the conciliatory and prudent course adopted by Governor Ellis the province had escaped collision with the Indian nations, and avoided participation in the controversy between the Virginians and the Carolinians on the one hand and the Cherokees on the other, which culminated in bloodshed and ruin. A reference to the leading events connected with this war waged on the confines of the province, in which Georgia was urged to join, may not be deemed inappropriate.

Upon the reduction of Fort Duquesne the communication between Canada and the French settlements in the South was seriously interrupted, and many Indian tribes, formerly in alliance with France, submitted to the victorious arms of Great Britain. Having burned their houses and destroyed their works, the French, descending the Ohio River, sought refuge in the strongholds which they had erected beyond the Cherokee mountains. Thus was the theatre of war transferred to a more southern latitude, and thus were the baleful influences of the French exerted more directly upon the upper tribes of the Cherokees. An unfortunate quarrel between some Virginians and a party of these Indians served to precipitate hostilities and to excite wide-spread dissatisfaction in the breasts of the aborigines. Responding to their treaty engagements, in the expedition against Fort Duquesne the Cherokees sent a considerable number of their warriors to assist the British. While returning home through the back parts of Virginia, many of them having lost their animals, they captured such horses as they found running at large in the woods, little supposing that they were trespassing upon individual property. Without pausing to redress the injury in a legal way, the Virginians pursued the Indians, killed twelve or fourteen of them, and made captives of several others. Provoked at such violent, bloody, and ungrateful usage at the hands of allies whose frontiers they had just been defending, the Cherokees,

upon reaching their villages, communicated the intelligence. A wrathful flame soon spread through all the upper towns. Those who had lost friends and kinsmen were implacable, and breathed vengeance against the English. In vain did the chiefs attempt to quiet the tempest. The young men rose in arms and resolved to seek satisfaction. French emissaries augmented the ill-will, instigated to bloodshed, and furnished weapons and ammunition. The frontiers of Carolina and Georgia lay exposed to the inroad of these excited savages thirsting for revenge.

The ill-humor of the Cherokee warriors, returned from the northern expedition, was first perceived by the garrison of Fort Loudoun, consisting of some two hundred men under the command of Captains Demeré and Stuart. While making excursions into the woods in quest of fresh provisions, the soldiers were attacked by the Indians and some of them were slain. Thenceforward such dangers threatened the fort that its garrison was compelled to remain within its walls. All communication with distant settlements, whence supplies were received, being thus cut off, and there being no accumulation of food, the soldiers were confronted with the sad prospect of famine and death. Meanwhile the advanced settlements fell a prey to marauding bands of Indians who ravaged, plundered, burned, and scalped at pleasure.

Advised of these acts of hostility, the commanding officer at Fort Prince George dispatched a messenger to Charlestown to inform Governor Lyttleton that the Cherokees had gone to war. Orders were at once issued for the militia to rendezvous at Congarees where the governor, with such forces as he could collect in the lower portion of the province, proposed to join them and to march for the relief of the frontier.

Hearing of these warlike preparations on the part of the Carolinians, thirty-two Cherokee chiefs set out for Charlestown to settle all differences and to prevent, if possible, the impending strife. Although they had been unable to restrain their young men from committing acts of violence, they were persuaded that the Cherokee nation was largely inclined to friendship and peace. They arrived in Charlestown before the governor had started on his purposed expedition. A council was called at which Mr. Lyttleton stated to the chiefs that he was acquainted with the acts of hostility committed by their nation, and that he was not ignorant of the hostile intentions they entertained toward the English. He further advised them that he would soon be in their

country, where he would make known his demands and the satisfaction he required. "As they had come to Charlestown to treat with him as friends, they should go home in safety, and not a hair of their heads should be touched; but as he had many warriors in arms in different parts of the Province, he could not be answerable for what might happen to them unless they marched along with his army."

Occonostota, the great warrior of the Cherokee nation, rose to reply, but the governor, being resolved that nothing should interrupt his military expedition, refused to hear his speech, declined to accept any vindication of the conduct of the Cherokee nation, and would not hearken to any proposals of peace. Although Lieutenant-Governor Bull, who was better acquainted with Indian customs and realized more fully the dangers to which the colony would be exposed if involved in a war with the Cherokees, urged upon the governor the propriety of listening to the great warrior and of accommodating the pending difficulties, he remained unmoved in his purpose and summarily terminated the conference. This ill-advised and unjustifiable conduct on the part of Governor Lyttleton excited no little displeasure in the minds of the Cherokee chiefs who, having traveled a long distance to obtain peace, so far from accomplishing their mission, found themselves denied even the liberty of speech. They were chagrined, and were apprehensive of the future.

A few days afterwards the governor set out for the Congarees, where he had ordered the militia to rendezvous, distant from Charlestown about a hundred and forty miles. Upon mustering his forces at that point he found that his little army numbered fourteen hundred men. Thither had he been accompanied by the Cherokee chiefs who, under a calm and contented exterior, burned with disappointment, fury, and resentment.

As the army moved forward these chieftains, without any semblance of right or previous notice, were confined as prisoners, and a captain's guard was mounted over them to prevent escape. In this fashion were they compelled to march with Lyttleton's forces to Fort Prince George. Deprived of their liberty,—dearer than all else to an Indian,—outraged beyond all decency, and forced to accompany an enemy moving in hostile array against their families, friends, and nation, they made no effort to conceal their resentment, and bore in sullenness the base treatment to which they were subjected. To add to the indignity, upon the arrival of the army at Fort Prince George they were

huddled together in close confinement in a hut scarcely large enough to accommodate six soldiers.

His army being badly armed, poorly disciplined, discontented, and mutinous, Governor Lyttleton resolved to proceed no further into the enemy's country, but sent for Attakullakulla, esteemed the wisest man of the Cherokee nation and the firmest friend of the English, to attend him at Fort Prince George. Returning from an expedition against the French, this aged warrior waited upon the governor who, in a speech of considerable length, after reminding him of the existing treaties of amity between the English and the Cherokees, the power of the British nation, its recent successes in the war against the French, and the acts of hostility of late perpetrated by the Indians, demanded that twenty-four members of the Cherokee nation should be delivered up to be put to death, or to be otherwise disposed of as he, the governor, should think fit, "as satisfaction for an equal number of whites who had been murdered."

To this Attakullakulla responded that he remembered the treaties alluded to, as he had participated in making them. While admitting the kindness exhibited by the province of South Carolina, he complained bitterly of the cruel treatment his countrymen had received at the hands of the Virginians, and alleged this to be the proximate cause of the present misunderstanding. Asserting his firm friendship for the English, he promised to use his influence in persuading the Cherokees to comply with the governor's demand. He was apprehensive, however, that the satisfaction demanded would not be accorded, and desired that some of the head men, then in confinement in the fort, should be released that they might assist him in persuading his people to respond to the governor's requisition. Finally, he protested that the English were exhibiting more resentment against the Cherokees than against other Indian nations who had offended them, and instanced the case of two Carolinians who had been slain by the Choctaws, and for whose deaths no satisfaction had been either offered or exacted.

Yielding to Attakullakulla's request, the governor released Occonostota, Fistoe, the chief man of Keowee Town, and the head warrior of Estatoe. The next day two Indians were surrendered who, in obedience to Governor Lyttleton's orders, were at once put in irons. Finding that they were powerless to give the satisfaction demanded by the governor, the Cherokees departed. A messenger was dispatched to bring Attakullakulla back to the

camp. Upon his return the governor at once began to treat of peace, as he was desirous of "finishing the campaign with as much credit as possible." Accordingly, a treaty was drawn up and signed by the governor and by six head men of the Cherokee nation, in which it was stipulated that the "twenty-two chieftains of the Cherokees should be kept as hostages, confined in the fort until the same number of Indians, guilty of murder, should be delivered up to the Commander in chief of the Province; that trade should be opened and carried on as usual; that the Cherokees should kill, or take every Frenchman prisoner who should presume to come into their nation during the continuance of the war, and that they should hold no intercourse with the Enemies of Great Britain, but should apprehend every person, white and red, found among them who might be endeavoring to set the English and Cherokees at variance and interrupt the friendship and peace established between them."

Having concluded this treaty, the governor resolved to return to Charlestown. The small-pox, which was raging in an adjacent Indian town, now appeared in his camp to the alarm of the soldiers, few of whom had ever been brought in contact with that distemper. The surgeons, too, were unprepared to treat the malady. Struck with terror the army quickly disbanded. Each soldier, making his way homeward as best he could, through fear of the pest carefully avoided all association with his fellows.

Arrived in Charlestown, the governor was welcomed with demonstrations of joy, and the most happy consequences were anticipated as the result of his expedition.

Whether the Indian chiefs who signed the treaty stipulations understood them or not is perhaps doubtful. Certain it is, however, that they utterly disregarded them. The unjustifiable and inhuman incarceration of the chiefs, against whom no charges were preferred and who had journeyed several hundred miles in order to secure from Governor Lyttleton peace for their nation, produced a strong impression on the mind of the Cherokees. Occonostota was inflamed with fury and cried aloud for vengeance. Instead of permitting these chiefs to return home in accordance with the promise of the governor that not a hair of their heads should be hurt, the whites confined them in a miserable hut where they were allowed to see neither their friends nor the light of day. The allegation that they were detained as hostages was a mere subterfuge. It could not happen otherwise than that these brave, untamed, independent warriors should, at the

earliest opportunity, resent such base, unmerited, and inhuman usage.

The bonfires kindled in Charlestown upon the return of Governor Lyttleton had scarcely turned to ashes when tidings were brought announcing the alarming fact that the Cherokees had slain fourteen men within a mile of Fort Prince George. Occonostota, collecting a strong party, surrounded that fort and compelled its garrison to seek shelter within its walls. Finding that he could make no impression upon the work, and unable to compel its commanding officer, Captain Coytmore, who was utterly detested by the natives, to surrender his post, this chief contrived the following stratagem for the relief of his imprisoned countrymen.

The region being densely wooded, he placed a party in ambush near the river, and then sent an Indian woman, who was always welcome in the fort, to inform the commanding officer that he had an important communication to make and would be glad to speak with him at the river-side. Suspecting nothing, Captain Coytmore, accompanied by Lieutenants Bell and Foster, responded to the invitation. Appearing on the opposite side of the river, Occonostota stated that he was going to Charlestown to procure a release of the prisoners, and would be glad if a soldier could be detailed to accompany him as a safeguard. Holding a bridle in his hand, he added that he would furnish a horse for the conveyance of the soldier. The captain responded that he should have the guard. Turning quickly about, Occonostota swung the bridle thrice around his head as a signal to his men lying in ambush who, instantly firing upon the officers, shot the captain dead on the spot and wounded his two lieutenants. In consequence of this act orders were issued within the fort to put the hostages in irons. While the soldiers were attempting to do this, the chiefs stabbed the first man who laid hold of them and wounded two more. Whereupon the garrison, exasperated to the highest degree, fell upon the unfortunate hostages and butchered them to death in a manner too shocking to relate.

This massacre brought sorrow and wrath to the hearts of the entire Cherokee nation. War was resolved upon. In every direction bands of warriors, in hostile attire and fully armed, took the field. Rushing down upon the defenseless frontiers of Carolina, they sacrificed men, women, and children to their merciless fury. To add to the horrors of the period the small-pox raged on every

hand. In this dire extremity an express was sent to General Amherst, the commander-in-chief in America, acquainting him with the deplorable situation of the province and craving immediate assistance. A battalion of Highlanders and four companies of the Royal Scots, under the command of Colonel Montgomery, afterwards the Earl of Eglinton, were ordered to embark immediately and sail for the relief of Carolina.

William Lyttleton having been appointed governor of Jamaica, the charge of the province of South Carolina devolved upon Colonel William Bull, a gentleman of great integrity and worth. Seven troops of rangers were furnished by the provinces of Virginia and North Carolina. These patrolled the frontiers of South Carolina and prevented the Indians from penetrating into the heart of the white settlements. Considerable sums were voted with which to purchase presents in order that the Creeks, Chickasaws, and Catawbas might be induced to assist the South Carolinians in their war with the Cherokees. Provisions were sent to such of the colonists as had taken refuge in Augusta and Fort Moore, and preparations were made for chastising the enemy so soon as the regulars from New York should arrive.

In April, 1760, Colonel Montgomery landed at Charlestown and encamped with his command at Monk's Corner. His orders were to strike a rapid blow for the relief of Carolina, and to return, without loss of time, to headquarters at Albany. A few weeks afterward he marched to the Congarees where he was joined by the military forces of the province. A half-blood Indian guide, thoroughly acquainted with the proposed route, having been furnished, he pressed forward to Twelve Mile River where he encamped. With a portion of his command he surprised the Indian town of Little Keowee and put every male inhabitant to the sword. Proceeding thence to Estatoe, whence the savages had precipitately fled, he reduced to ashes that village consisting of some two hundred houses. It was well supplied with corn, hogs, poultry, and ammunition, which the Indians in their haste had been unable to remove. Sugar Town and all settlements in the Lower Cherokee nation shared a similar fate. The Indians were completely dismayed and overwhelmed by this impetuous and powerful incursion. Sixty were killed, forty captured, and the rest compelled to seek safety among the mountains. Having thus accomplished the subjugation of the region and driven the inhabitants in consternation from their homes, Colonel Montgomery moved to the relief of Fort Prince George,

which had been for some time so closely invested that its garrison was in great want not only of provisions but even of fuel.

While the army was resting at this fort, Edmund Atkin, agent for Indian affairs, dispatched two Indian chiefs to inform the Cherokees of the Middle Settlements that by promptly suing for peace they might regain the favor of the English. Captains Demeré and Stuart, commanding at Fort Loudoun, were notified to use their best exertions to bring about a pacification among the Cherokees inhabiting the upper towns. Finding that the Indians were indisposed to lay down their arms, Colonel Montgomery determined to advance further into their territory and to punish them even more severely. In execution of this purpose the difficulties experienced by him are thus narrated by the author of "An Historical Account of the Rise and Progress of the Colonies of South Carolina and Georgia:" "Dismal was the wilderness into which he entered, and many were the hardships and dangers he had to encounter from dark thickets, rugged paths, and narrow passes in which a small body of men, properly posted, might harass and tire out the bravest army that ever took the field. Having on all hands suspicious grounds, he found occasion for constant vigilance and circumspection. While he was piercing through the thick forest, he had numberless difficulties to surmount, particularly from rivers fordable only at one place and overlooked by high banks on each side, where an enemy might attack him with advantage and retreat with safety.

"When he had advanced within five miles of Etchoe, the nearest town in the Middle Settlements, he found there a low valley covered so thickly with bushes that the soldiers could scarcely see three yards before them, in the middle of which was a muddy river with steep, clay banks. Through this dark place, where it was impossible for any number of men to act together, the army must necessarily march, and therefore, Captain Morison, who commanded a company of Rangers well acquainted with the woods, had orders to advance and scour the thicket. He had scarcely entered it when a number of savages sprung from their lurking den, and, firing on them, killed the captain and wounded several of his party. Upon which the light infantry and grenadiers were ordered to advance and charge the invisible enemy, which they did with great courage and alacrity. A heavy fire then began on both sides, and during some time the soldiers could only discover the places where the savages were hid by the report of their guns. Colonel Montgomery finding that the number of

Indians that guarded the place was great, and that they were determined obstinately to dispute it, ordered the Royal Scots, who were in the rear, to advance between the savages and a rising ground on the right, while the Highlanders marched towards the left to sustain the light infantry and grenadiers.

"The woods now resounded with horrible shouts and yells, but these instead of intimidating the troops seemed rather to inspire them with double firmness and resolution. At length the savages gave way and, in their retreat, falling in with the Royal Scots, suffered considerably before they got out of their reach. By this time the Royals being in the front, and the Highlanders in the rear, the enemy stretched away and took possession of a hill, seemingly disposed to keep at a distance, and always retreating as the army advanced. Colonel Montgomery, perceiving that they kept aloof, gave orders to the line to face about and march directly for the town of Etchoe. The enemy no sooner observed this movement than they got behind the hill and ran to alarm their wives and children.

"During the action, which lasted above an hour, Colonel Montgomery, who made several narrow escapes, had twenty men killed and seventy-six wounded. What number the enemy lost is uncertain, but some places were discovered into which they had thrown several of their slain, from which it was conjectured that they must have lost a great number as it is a custom among them to carry their dead off the field. Upon viewing the ground all were astonished to see with what judgment and skill they had chosen it. Scarcely could the most experienced officer have fixed upon a spot more advantageous for waylaying and attacking an enemy according to the method of fighting practised among the Indian Nations."

This engagement convinced Colonel Montgomery that he could not, in this wild and broken region, make substantial headway against the aborigines who, driven from one position, were prepared to occupy another. Encumbered by his wounded, whom he could not entrust to the tender mercies of the enemy, and persuaded that the hardships incident to a further prosecution of the campaign were beyond the endurance of his men, he ordered a retreat which was conducted in an orderly manner in the presence of the enemy hovering near and offering every possible annoyance.

As Colonel Montgomery was preparing to embark with his troops for New York, in obedience to his orders from General

Amherst, the General Assembly of South Carolina, influenced by the dangers threatening the province, memorialized Governor Bull, unanimously entreating him "to use the most pressing instances with Colonel Montgomery not to depart with the King's troops as it may be attended with the most pernicious consequences." Representing to the colonel the imminent dangers to which the colony would be exposed, the governor succeeded in prevailing upon him to leave four companies of the royal regiment, under the command of Major Frederick Hamilton, for the protection of the frontiers. Meanwhile the Indians were ravaging the back settlements and gathering their forces for wider and more determined hostilities.

The distant garrison of Fort Loudoun, consisting of two hundred men, had been so long and so closely invested by the enraged Cherokees that it was well-nigh reduced to the alternative either of perishing by hunger or of submitting to massacre at the hands of the savages. The Virginians had promised to concentrate for the relief of this post, but appalled at the dangers and the privations incident to the undertaking they abandoned the project. Deplorable indeed was the situation of affairs. For an entire month the garrison had been subsisting upon lean horses and dogs, and a scanty supply of beans stealthily furnished by some friendly Cherokee women. Blockaded and annoyed day and night by the enemy, the soldiers threatened to leave the fort, preferring to die by the hands of the Indians rather than perish by famine. In this extremity, all hope of succor having vanished, a council of war was called. The officers were of opinion that it was impossible to hold out any longer. A surrender to the Cherokees upon the best terms that could be secured was resolved upon, and Captain Stuart, an officer of great sagacity and address, was detailed to proceed to Choté, one of the principal Indian towns in the neighborhood. There the following terms of capitulation were agreed upon and subsequently signed by the commanding officer of the fort and two of the leading Cherokee chiefs: "That the garrison of Fort Loudoun march out with their arms and drums, each soldier having as much powder and ball as their officer shall think necessary for their march, and all the baggage they may chuse to carry: That the garrison be permitted to march to Virginia or Fort Prince George, as the commanding officer shall think proper, unmolested, and that a number of Indians be appointed to escort them and hunt for provisions during their march: That such soldiers as are lame, or

by sickness disabled from marching, be received into the Indian towns and kindly used until they recover, and then be allowed to return to Fort Prince George: That the Indians do provide for the garrison as many horses as they conveniently can for their march, agreeing with the officers and soldiers for payment: That the fort, great guns, powder, ball, and spare arms, be delivered to the Indians without fraud or further delay on the day appointed for the march of the troops."

In accordance with these stipulations the fort was surrendered, and the garrison, attended by Occonostota, Judd's friend, the prince of Choté, and several other Indians, marched out, taking the route for Fort Prince George. At nightfall the command had journeyed fifteen miles. Having encamped on a plain about two miles from the Indian town Taliquo, the English were surprised to find themselves speedily deserted by their escort. Deeming this a suspicious circumstance, a strong guard was posted by the officers. No disturbance occurred during the night, but at daybreak the next morning a soldier from an outpost ran in and communicated the intelligence that many Indians, painted and plumed for battle, were advancing upon the camp. Scarcely had the order been issued for the men to stand to their arms, when the savages from various quarters and with terrific yells poured in a destructive fire before which Captain Demeré, three officers, and twenty-six privates fell. Enfeebled, dispirited, and panic-stricken, many of the men fled into the woods where they were captured. Captain Stuart and those who remained with him were seized, pinioned, and brought back to Fort Loudoun, where they were confined. Learning that his friend, Captain Stuart, was a prisoner, Attakullakulla hastened to the fort and, giving his rifle, clothes, and personal effects by way of ransom, purchased him from his captors. Taking possession of Captain Demeré's house, he there maintained him as a member of his family, sharing his provisions and shelter with him. The soldiers endured miserable captivity until they were, at great cost, ransomed by the province of South Carolina.

Pending their release, Occonostota determined to attack Fort Prince George, and for this purpose summoned the Cherokee warriors to meet him at Stickoey old town. By accident ten bags of powder and ball, which the officers had secretly buried in the fort to prevent their falling into the enemy's hands, were discovered by the savages. This circumstance would have cost Captain Stuart his life had not the interpreter succeeded in con-

vincing the Indians that he was ignorant of and wholly unconnected with the concealment of these warlike stores. Thus possessed of an ample quantity of ammunition, the Cherokees resolved to lay siege to Fort Prince George. A council was called at Choté. Captain Stuart was compelled to attend. There he was reminded of the fact that his life had been spared, and was informed that he and his men must take charge of and work six cannons and two coehorn mortars with which they were about to bombard Fort Prince George. He was further required to address a communication to the commanding officer of that fort demanding its immediate surrender, and threatening, if this demand was not acceded to, that the prisoners in their custody would be burnt one after another. Thoroughly alarmed at his situation, and resolved not to bear arms against his countrymen, Captain Stuart determined to make his escape or to perish in the attempt. This design he privately communicated to his friend Attakullakulla, and invoked his immediate assistance. Responding to the appeal, this aged chieftain, in order to free his captive from his embarrassments, announced to the Cherokees that he intended to be absent for a few days upon a hunting expedition and that he would take Captain Stuart with him. Moving rapidly day and night through a pathless wilderness, they arrived, on the tenth day of their journey, at the Holston River, where they fortunately fell in with Colonel Bird, who, with a party of three hundred men, was advancing for the relief of such soldiers as had made their escape from Fort Loudoun. Proceeding on until he reached Colonel Bird's permanent camp on the frontiers of Virginia, Captain Stuart there dismissed the generous chief, loading him with presents, entreating him on his return to protect the unhappy prisoners until their ransom could be accomplished, and praying him to exert his influence among the Cherokees for the restoration of peace.

Escaped from the savages, this officer at once began to concert measures for the relief of Fort Prince George. Governor Bull was informed of the sad disaster which had overtaken Fort Loudoun, and of the enemy's designs against Fort Prince George. Captain Thomson, commanding the militia on the frontiers, was ordered to throw into that fort provisions sufficient to sustain its garrison for ten weeks, and to notify the officer in charge of the impending danger. Attakullakulla was requested to inform the Cherokees that Fort Prince George was impregnable, and that powder had been disposed of in vast quantities in

its vicinity to blow up any parties who might assault it. Presents were forwarded with which to redeem the prisoners at Fort Loudoun, and such of them as survived the ill usage to which they had been subjected were released and delivered up to the commanding officer at Fort Prince George.

It was hoped that the treacherous conduct of the Cherokees towards the garrison upon the surrender of Fort Loudoun would have been regarded by them as satisfaction for the unjust imprisonment and cruel massacre of their chiefs; but the expectation was vain. Although their lower towns had been devastated by Colonel Montgomery, the spirit of the Cherokees was still unsubdued. Hearkening to the French, who supplied them with guns and ammunition and poisoned their minds with the most iniquitous suggestions against the English, the Indians remained intent upon war. Lewis Latinac, a French officer, proved among them an indefatigable instigator to revenge, mischief, and slaughter.

Persuaded that the savages were about to renew their hostilities in greater numbers and with undiminished hate, Governor Bull applied a second time to General Amherst for assistance. Lieutenant-Colonel James Grant was detailed with the Highlanders to repair to Carolina and concert measures for the subjugation of the Cherokees. Landing at Charlestown early in 1761 he there encamped with his command. In order that the projected campaign might be productive of the most decisive results, a provincial regiment was raised and placed under the command of Colonel Middleton. Supplies of all sorts were accumulated to facilitate the equipment, transportation, and support of the army. The sympathies of the Chickasaws, the Catawbas, and the Creeks were enlisted by a generous distribution of presents.

When mustered, the forces under Colonel Grant aggregated about two thousand six hundred men. Arrived at Fort Prince George on the 27th of May, 1761, he was met by Attakullakulla, who, renewing his professions of amity, besought the English commander to advance no further with his army until he ascertained whether the Cherokee nation could not be persuaded to sue for peace. Declining to comply with this request, Colonel Grant, on the 7th of June, put his column of invasion in motion. Provisions for thirty days were transported with the army. Ninety Indians, and thirty woodmen attired and painted to resemble Indians, under the leadership of Captain Quintino Kennedy, marched in advance to scour the forests. Then came the

light infantry which, in turn, was followed by the main body. On the fourth day the locality was reached where Colonel Montgomery had been attacked the year before. Here the savages, rushing down from a hill, fired upon the advance guard, which, being reinforced, drove them back until they recovered their position upon the heights. Along the foot of this hill the army was compelled to march for a considerable distance. On the left was a river from the opposite bank of which a large party of Cherokees fired briskly on the troops as they advanced.

"Colonel Grant ordered a party to march up the hill and drive the enemy from the heights, while the line faced about and gave their whole charge to the Indians that annoyed them from the side of the river. The engagement became general and the savages seemed determined obstinately to dispute the lower grounds, while those on the hill were dislodged only to return with redoubled ardour to the charge.

"The situation of the troops was in several respects deplorable — fatigued by a tedious march in rainy weather, surrounded with woods so that they could not discern the enemy, galled by the scattered fire of savages who, when pressed, always kept aloof but rallied again and again and returned to the ground. No sooner did the army gain an advantage over them in one quarter than they appeared in another. While the attention of the commander was occupied in driving the enemy from their lurking place on the river's side, the rear was attacked, and so vigorous an effort made for the flour and cattle that he was obliged to order a party back to the relief of the rear guard. From eight o'clock in the morning until eleven, the savages continued to keep up an irregular and incessant fire, sometimes from one place and sometimes from another, while the woods resounded with hideous shouts and yells to intimidate the troops. At length the Cherokees gave way; and, being pursued for some time, popping shots continued till two o'clock when they disappeared."

Colonel Grant's army sustained a loss of between fifty and sixty killed and wounded. The casualties encountered by the enemy were not ascertained. The slain having been sunk in the river to prevent the Indians from finding and scalping them, and the wounded having been mounted upon horses, the army pressed on to Etchoe which was reduced to ashes. Fourteen Indian towns, constituting the Middle Settlements of the Cherokees, shared a similar fate, and the women and children were mercilessly driven from their homes. The entire region was deso-

lated. For a whole month did Colonel Grant remain in the heart of this Indian territory. He then retired to Fort Prince George where he paused to refresh his army and to ascertain the effect which his recent punishment would exert upon the mind of the Cherokee nation. There he was waited upon by Attakullakulla and several Cherokee chiefs who, after alluding to the severe sufferings of their nation and protesting their determination to have nothing more to do with the French by whom they had been sadly deceived, desired a restoration of peaceful relations with the English. Treaty stipulations looking toward a general pacification were then prepared and submitted, all of which were approved except one article, proposed by Colonel Grant, which contemplated the surrender of four Cherokee Indians to be put to death in front of the army. Attakullakulla, having no authority from his people to assent to such a condition, repaired to Charlestown with his companions to interview Governor Bull and ascertain whether he would consent to the abrogation of this demand. A council was called by the governor at Ashley Ferry who there delivered the following address: —

"Attakullakulla, I am glad to see you, and as I have always heard of your good behaviour, that you have been a good friend to the English, I take you by the hand, and not only you but all those with you also, as a pledge for their security whilst under my protection. Colonel Grant acquaints me that you have applied for peace. Now that you are come, I have met with my beloved men to hear what you have to say, and my ears are open for that purpose."

A fire having been kindled and the pipe of peace lighted, all present smoked for some time solemnly and in silence. At length Attakullakulla arose and thus spake to the governor and council: —

"It is a great while since I last saw your Honour. Now I am glad to see you and all the beloved men present. I am come to you as a messenger from the whole nation. I have now seen you and smoked with you, and I hope we shall live together as brothers. When I came to Keowee, Colonel Grant sent me to you. You live at the water side and are in light. We are in darkness, but I hope all will yet be clear with us. I have been constantly going about doing good, and though I am tired, yet I am come to see what can be done for my people who are in great distress." Here he produced the strings of wampum he had received from the different towns of the Cherokee nation, all denot-

ing an earnest desire for peace. Continuing, he added, "As to what has happened I believe it has been ordered by our Father above. We are of a different colour from the white people. They are superior to us. But one God is father of all and we hope what is past will be forgotten. God Almighty made all people. There is not a day but some are coming into and others are going out of the world. The great King told me the path should never be crooked, but open for every one to pass and repass. As we all live in one land, I hope we shall all live as one people."

Thereupon a treaty of peace was formally ratified: all present uniting in the hope that the friendship thus reëstablished would continue as long as the sun shone and the rivers ran.[1]

Thus ended the war with the Cherokees, which not only inflicted much loss of life and property upon South Carolina but, during its continuance, subjected the province of Georgia to constant alarm and apprehension. Sadly was the strength of the Cherokee nation impaired, and many of the chosen seats of this people were rendered desolate.

[1] See *An Historical Account of the Rise and Progress of the Colonies of South Carolina and Georgia*, vol. ii. pp. 214–254.

CHAPTER II.

GOVERNOR WRIGHT'S INAUGURAL ADDRESS. — RESPONSE OF THE GENERAL ASSEMBLY. — SAVANNAH IN 1760. — DEBRAHM'S SYSTEM OF FORTIFICATIONS. — WHARVES. — HEALTH OF SAVANNAH. — POPULATION AND PRODUCTS OF THE PROVINCE. — GOVERNOR WRIGHT'S REPORT TO THE LORDS COMMISSIONERS OF TRADE AND PLANTATIONS. — GEORGE III. PROCLAIMED KING. — GOVERNOR BOONE ATTEMPTS TO APPROPRIATE THE LANDS LYING SOUTH OF THE ALATAMAHA. — PROTEST AND CAVEAT OF GOVERNOR WRIGHT. — HIS COMMUNICATIONS TO THE EARL OF EGREMONT. — ACTION OF THE HOME GOVERNMENT.

THE gratulations extended to Sir James Wright upon his arrival in Savannah were mingled with regrets at the departure of Governor Ellis[1] who, by a gentle, firm, conservative, and honest administration of public affairs had accommodated former disagreements, maintained amicable relations with the aborigines, advanced the interests of the colonists, and confirmed himself in their esteem and affection.

On the 5th of November, 1760, Governor Wright delivered the following inaugural to the General Assembly: —

"His Majesty having been pleased to permit his Excellency Governour Ellis to return to Great Britain and to honour me with the appointment of Lieutenant Governour of this Province, the Administration is now, on his Excellency's departure, devolved upon me. I am not insensible of the Merit and Abilities of that Gentleman, and consequently of the Disadvantages I may be under in succeeding him.

"But let me assure you Gentlemen, that I shall, with the utmost Diligence and Integrity, discharge my Duty to his Majesty and, consistent with that, will at all Times and in every Respect, with very great Sincerity endeavour to promote the true Interest and Prosperity of this Province: in the Pursuit of which I am well persuaded I shall always meet with the Approbation and Aid of all worthy Men and true Lovers of their Country, and therefore cannot fail of your candid Assistance.

"The very short Time that I have been amongst you Gentlemen, has not been sufficient for me to acquire that Knowledge of

[1] He left the province November 2, 1760.

the State and Condition of the Province necessary to enable me to suggest to you every Circumstance that may be proper for your present Consideration, and which might have made a further adjournment convenient.

"But there is one Object which is very striking and which requires our immediate Attention: I mean the Dangers this Province in general is exposed to from the Creek Indians; the yet defenceless Condition of the Town; and the necessity of putting it into some better State of Security by finishing the Works already begun, and erecting such other within the Lines and elsewhere as may appear necessary for that End: for, although a great deal is already done, yet much is still wanting, and a Supply of proper Guns and Ammunition for the Block Houses and small Forts in order to render the several Works effectual: and therefore I have thought it expedient to continue Sitting at this Time.

"From our Situation and Circumstances our Plan must chiefly be that of Security and Defence, and although the very great Success with which it has pleased God to bless the Arms of our most gracious Sovereign in the North Part of this Continent is a most interesting and important Event in general, and to us in particular as it gives us sanguine Hopes that this Southern Frontier will very speedily be strengthened, yet Gentlemen, let us not be wanting to ourselves, let us act as becomes us, and every Consideration, every View in which we see our present Circumstances must incite us to exert our utmost Efforts at this critical Conjuncture.

"The Success of the Cherokees against our Sister Colony, which the Savages well know to be populous, rich, and powerful, has greatly extended its Influence amongst our Neighbours the Creeks and made them most insolent and daring; but I trust those Dangers that we are exposed to from thence will animate us and convince us how necessary it is to be vigilant, to be active.

"Gentlemen, from your usual and well known zeal for his Majesty's Service and Readiness on all Occasions to promote the Welfare of this Province, I doubt not but you will chearfully concur with me and make such Provision as will be sufficient for the immediate Execution of these salutary Measures on which the Safety and Tranquillity so much depend. I must likewise recommend to your Consideration the Condition of the Light House on Tybee Island, and also what Laws are near expiring and may require an immediate Continuance."

To this, on the ensuing day, the following response was returned by the Upper House of Assembly:—

"*May it please your Honour.*

"We his Majesty's most dutiful and loyal Subjects, the Council of Georgia in General Assembly met, beg leave to return your Honour our unfeigned Thanks for your Speech to both Houses of Assembly, and to present our hearty Congratulations to your Honour on your safe Arrival in this Province.

"However sensibly we regret the Departure of his Excellency Governor Ellis, we do with great Sincerity assure your Honour that it is with the highest Satisfaction we see your Honour appointed to preside over us. The Ability and Integrity with which you have served our gracious Sovereign and his Subjects in the neighbouring Province, though in a less elevated Station, and the unblemished Probity with which you have discharged the Duties of private Life, as they have gained you his Majesty's Approbation and the Esteem of all worthy Men, so they are to us the surest Presages of Prosperity and Happiness under your diligent and virtuous Administration.

"We do with the utmost Pleasure congratulate your Honour on the very great Success with which it has pleased God to bless his Majesty's Arms in the different Quarters of the World, and particularly on the happy Reduction of all Canada; an Event equally honourable for our glorious Sovereign and important and interesting to his American Subjects. Nor do we on this occasion only participate in the general Joy. We flatter ourselves that as this Province is now the only Frontier to our European Enemy it will speedily be strengthened, and the Insolence of the neighbouring Savages effectually repressed.

"We are thoroughly sensible of the Dangers which this Colony is exposed to from the Creek Indians, the yet defenceless Condition of the Town, and the necessity there is for putting it and the other Parts of the Province in a better State of Security; and we do assure your Honour that nothing on our Part shall be wanting for enabling you to carry into Effect so salutary a Measure, and on all Occasions consistent with our Duty to the King shall chearfully concur in every Thing that shall tend to render your Administration easy and honourable, and the Colony happy and flourishing."[1]

One of the earliest topics engaging the attention of the General Assembly embraced the fortification of Savannah, the repair and

[1] *MS. Journal of the Assembly*, pp. 437, 438, 440, 441.

erection of forts at necessary points within the limits of the province, and the development of the military strength of the colony. Earnest consideration of this subject was rendered all the more important because of the existing war between South Carolina and the Cherokees, and by reason of the fact that Georgia was forced to rely upon her own resources and exertions for self-protection. The town of Savannah at this time contained between three and four hundred houses, nearly all of them small and builded of wood. The most imposing structures were Christ Church, an Independent meeting-house, a council-house, a court-house, and a filature. Using the present names of the streets, Savannah was bounded on the north by the Bay, on the east by Lincoln Street, on the south by South Broad Street, and on the west by Jefferson Street. Its extreme length from east to west was two thousand one hundred and fifteen feet, and it extended from north to south one thousand four hundred and twenty-five feet. Six squares or market-places were included within these limits, each three hundred and fifteen by two hundred and seventy feet.[1]

Upon his return from Fort Loudoun, in 1757, Surveyor-General DeBrahm, at the instance of Governor Ellis and of the General Assembly of the province, "proposed with a well palissadoed Intrenchment to envelope the City so as to make it a Receptacle and Shelter for all the Planters, their Families, Slaves, &c." Savannah being open to the north, and the river affording facile communication with South Carolina whence, upon an emergency, supplies of food and ammunition might be obtained, the Indians would never be able to do more than burn the dwellings in the country, and kill such cattle and steal such horses as might be left upon the plantations. Their families being secure within the intrenchments of Savannah, where they could be supplied with requisite stores and where they would enjoy the protection of the governor and council, the male inhabitants would be free to operate in the field and devote their energies to the expulsion of the marauders. DeBrahm's advice met with general favor, and he accordingly laid out "two Poligons with three Bastions" for the protection of the southern exposure of the town. "With four Poligons more (two on the east and two others on the west side of the City, each ending with a demi Bastion)," he completed the environment of the place. Northwardly the eastern and

[1] See *History of the Province of Georgia*, etc., by John Gerar William DeBrahm, p. 36. Wormsloe. MDCCCXLIX.

western intrenchments terminated at the river. The soil of Savannah being very sandy, in order to preserve the breastwork the outside talus was faced with pine logs set in the ground. Wooden towers were erected in the corner bastions with strong platforms in their first stories to support twelve-pounder cannons. These fortifications were in an incomplete condition when Governor Wright assumed the reins of government. That they might be finished at the earliest practicable moment, the governor, James DeVeaux, Lewis Johnson, William Francis, Joseph Gibbons, James Read, and Edmund Tannatt were nominated by the Commons House of Assembly as a supervising committee. To this board were added from the Upper House, the Honorable James Habersham, Colonel Noble Jones, James Edward Powell, and William Knox.[1] The work progressed rapidly, and Savannah soon afforded within its intrenchments an asylum whither the adjacent planters, upon occasions of alarm, might betake themselves with their families and personal property and find refuge from the rifle and scalping-knife of the Indian.

That like protection might be afforded to other localities, stockades and forts were constructed and strengthened at Augusta, Ebenezer, Sunbury, Midway, Darien, Barrington, and elsewhere. For the defense of the mouth of the Savannah River Fort George was erected on Coxpur Island. DeBrahm describes it as "only a small Redoubt 100 feet square, with a Block House or wooden Tour Bastionee 40 feet square in it, to serve for a Defence, Magazine, Storehouse, and Barrack. This Redoubt answers more to stop Vessels from going up and down in time of Peace, than Vessels which had a Mind to act in a hostile View; the reason for so diminutive a Construction was the then prevailing Incapacity to raise for this purpose more than £2,000 sterling, as many other equally necessary Constructions for the public Benefit stood then in Competition before the Eyes of the Legislator."[2]

Governor Wright discountenanced the project, which had been favorably entertained by his predecessors, of transferring the seat of government from Savannah to Hardwicke. In this he acted most wisely. Pending the question of removal, Savannah had suffered much. Her public buildings had been neglected and her citizens, ignorant of the future, grew careless of their homes. As soon, however, as it was definitely ascertained that the little city of Oglethorpe was to remain the capital and commercial metrop-

[1] *MS. Journal of the Council met in General Assembly*, etc., pp. 446, 447.

[2] *History of the Province of Georgia*, etc., p. 47. Wormsloe. MDCCCXLIX.

olis of the province, a new impulse was imparted which conduced most materially to the general prosperity and encouragement of the town.

The light-house on Tybee Island was repaired, a lazaretto was established, and the wharves along the Savannah River were rendered convenient and permanent. These wharves were constructed upon a plan furnished by DeBrahm to Thomas Eaton in 1759. His suggestion was "to drive two Rows of Piles as far asunder as he desired his Wharf to be wide, and as far towards the River as low Water Mark; secure their tops with plates, and to trunnel Planks within on the Piles; this done, then to brace the insides with dry Walls of Stones intermixed with willow Twigs, and in the same manner to shut up the Ends of the two Rows with a like Front along the Stream; to build inside what Cellars he had occasion for; then to fill up the Remainder with the Sand nearest at hand out of the Bluff or high shore of the Stream under the Bay."[1]

This method was adopted and observed for many years. It was abandoned only when heavy freights and larger vessels rendered the construction of more substantial landing-places a matter of commercial necessity.

For nearly thirty years after its settlement, Savannah was regarded as a healthy town. Thither did the rice planters from the adjacent lowlands in South Carolina resort during the summer and autumn of the year that they might escape the fevers incident to the swamps. The dense forests growing upon Hutchinson's Island and in the low grounds to the east and west of the town shielded it from the noxious vapors and malarial influences of the fields beyond, which were cultivated in rice. So soon, however, as these trees were felled, and the regions they formerly covered were converted into rice plantations, the miasmatic exhalations thence arising were, by north and east winds, rolled in upon the town to the prejudice of the health of its inhabitants.[2] At a later period it was found necessary to guard Savannah against the unwholesome effects to which we have alluded, by the rigid enforcement of a dry-culture system within specified limits.

Upon the inauguration of Governor Wright the white population of Georgia amounted to barely six thousand souls. The re-

[1] *History of the Province of Georgia,* etc., pp. 47, 48. Wormsloo. MDCCCXLIX.

[2] See DeBrahm's *History of the Prov-*

ince of Georgia, etc., p. 45. Wormsloo. MDCCCXLIX.

turns showed that there were then three thousand five hundred and seventy-eight negro slaves owned and employed within the province. The military force of the colony consisted of sixty men belonging to his majesty's independent companies, two troops of rangers numbering each five officers and seventy privates, and the militia, organized as infantry, and aggregating one thousand and twenty-five. But thirty-four hundred pounds of rice were exported in 1760, and the entire commerce of the colony was conducted by forty-two vessels, most of them of light burthen.

Of the manufactures and general industries of the province we are definitely advised by the following letter of the governor, which, although penned a few years later, refers directly to the period which we are now considering.

"My Lords, — Your Lordships' letter of the 1st of August I had the honor to receive on the 12th inst., by which I am required to transmit to your Lordships an exact Account of the several Manufactures which have been set up and carried on within this Province from the year 1734, and of the public encouragement which has been given thereto.

"In obedience to which I am to acquaint your Lordships that there have not been any Manufactures of any kind set up or carried on within this Province, but we are supplied with everything from and through Great Britain. Some few of the poorer and more industrious people make a trifling quantity of coarse homespun cloth for their own families, and knit a few cotton and yarn stockings for their own use, and this done but by very few, and I don't know that there is or has been a yard of linen cloth of any kind manufactured in this Province.

"Hitherto, my Lords, and until the Province becomes much more populous than it just now is, the People can employ their time to much better advantage than manufacturing, as they can be a great deal cheaper and better supplied from Great Britain, and from whence my Lords, all our supplies of Silks, linens, and woollens of every kind are brought, and all our tools, nails, locks, hinges, and utensils of every sort, and great quantities of shoes are likewise imported, although we have some Tanners and Shoemakers here, but chiefly employed in making shoes for the Negroes: also Blacksmiths who work up bar iron imported from the Northern Colonies for building and repairs of Vessels and such other work as is not usually or indeed cannot be imported from Great Britain, as no particular orders or directions can well be

given to suit occasional necessary demands and uses. We have built one Ship, one Snow, one Brigantine, and five or six Schooners, and a number of coasting Vessels since I have presided here.

"Our whole time and strength, my Lords, is applied in planting rice, corn, peas, and a small quantity of wheat and rye, and in making pitch, tar, and turpentine, and in making shingles and staves, and sawing lumber and scantling, and boards of every kind, and in raising stocks of cattle, mules, horses, and hogs, and next year I hope some essays will be made towards planting and making hemp, and that it will, in due time, become a considerable article with us.

"At present, my Lords, the people here have no idea of manufacturing these commodities, but possibly may hereafter, when they become more numerous, and labour cheaper, especially as they have been within the course of the last year so strongly called upon and exhorted to it by the Northern Colonies.

"I am, &c., JAMES WRIGHT.[1]

"SAVANNAH IN GEORGIA, 18*th Nov*r, 1766."

So tardy was the communication between the colony and the mother country that intelligence of the demise of his majesty George II. was not received in Savannah until February, 1761. The assembly was thereupon immediately dissolved and writs of election were issued for a new assembly to convene on the 24th of the following March.

Funeral honors were rendered to his late majesty, and George III. was saluted as king with all the pomp and ceremony of which the province was capable. Then for the first and only time was a king proclaimed upon Georgia soil.

In addressing the General Assembly on the 25th of March, Governor Wright spake thus loyally: "The great and important Event of the Death of his late Majesty, of ever blessed Memory, having made it necessary to call a new Assembly, gives me this Opportunity of congratulating you on the happy Accession of our present most gracious Sovereign to the Throne of his royal Grandfather.

"This Accession, Gentlemen, is a most inestimable Mark of Divine Providence: for, under the auspicious Government of a Prince who has given such early Proofs of his Royal Abilities, Regard for the British Constitution, and Love and Affection for

[1] From the *Marquis of Lansdowne's Collection*. Answers to American Circulars. Vol. lv.

his Subjects, we may rest assured that we shall not only continue in the perfect Enjoyment of the many Blessings we have already possessed, but that we shall meet with every further Encouragement and Support that this Infant Province may require.

"Animated therefore with a true Sense of our Happiness, let us with the utmost Gratitude and Veneration study to promote his Majesty's Service; let us chearfully obey his royal Commands, and offer up our sincere Prayers for his long and happy Reign over us."

Unaffected as yet by those rebellious sentiments which, a few years afterwards, induced the colonists to seek, even at the peril of life and property, liberation from kingly rule, the assembly responded: "We his Majesty's most dutiful and loyal Subjects, the Council of Georgia in General Assembly met, beg Leave to return your Honour our unfeigned and hearty Thanks for your affectionate Speech to both Houses of Assembly.

"The great and important Event of the Death of his late Majesty of blessed Memory having made it necessary for your Honour to convene a new Assembly, we therefore avail ourselves of this Opportunity of congratulating you on the happy Accession of our present most gracious Sovereign to the Throne of his Royal Ancestors, being truly sensible of this inestimable Mark of Divine Favour in placing us under the auspicious Government of a Prince who has given such early and repeated Proofs of his Royal Abilities, Regard for the British Constitution, and Paternal Affection for his Subjects. From the Consideration of these Princely Virtues we assure ourselves a Continuance of those invaluable Privileges and Blessings we have hitherto enjoyed; And that we shall also meet with every further Encouragement that may conduce to the Protection and Prosperity of this Infant Province. We therefore shall, with the utmost Gratitude, disinterested Regard, and a Sense of our own Happiness, make it our Study to promote his Majesty's Service and pay all due Obedience to his Royal Commands."[1]

At the moment it appeared scarcely possible that these pledges of loyalty, so freely given, would speedily be broken.

On the 20th of March, 1761, the king conferred upon James Wright full executive powers, with the title of "Captain General, Governor, and Commander in Chief in and over the Province of Georgia." His commission, however, did not reach him

[1] See *MS. Journal of the Council in Assembly for the Colony of Georgia*, pp. 454, 457.

at Savannah until the 28th of January, 1762. It was then read at the head of the regiment of militia, commanded by Colonel Noble Jones, and drawn up in Johnson Square. Three volleys were fired, and these were answered by the guns of Fort Halifax and by cannon from ships in the river. In the evening the ladies were entertained at a ball given by the governor. It was the most numerous and brilliant assemblage, up to that time, ever known in Savannah. Nearly every house in the town was illuminated; and, if we may credit the testimony of the day, "there never was an occasion on which the joy and satisfaction of the people were more apparent." [1]

Although the orders framed by Governors Ellis and Lyttleton for the removal of Edmund Grey and his followers from the settlements which they had formed south of the Alatamaha had, in 1759, been personally communicated by Powell and Hern, commissioners appointed for that purpose, and although those malcontents at first promised obedience and made a show of departing from the disputed territory, so soon as the commissioners returned home Grey and his companions quietly violated their engagements and reëstablished themselves in the situations which they had selected beyond the immediate limits of the colony. It would appear from a letter addressed by Governor Wright to the Lords Commissioners of Trade and Plantations on the 17th of October, 1761, that although the southern boundary of the colony, according to the king's charter to the trustees, extended only to the southernmost stream of the Alatamaha, the Georgia authorities at no time ceased to exercise at least a qualified control over this region. Without regard to that boundary General Oglethorpe extended his settlements and forts in the direction of Florida. Plantations were established far beyond the Alatamaha, and lands were claimed upon the banks of the St. John's. At the south end of Cumberland Island a guard was maintained at Fort William. When in 1758 Governor Ellis winked at the settlement of Grey and his adherents in this region, he did so under the impression that a quasi affiliation with these intruders would prevent them from associating themselves with the Spaniards and the Creek Indians. This action was disapproved by the home government, who feared that the license from the Georgia governor might be construed by the authorities at St. Augustine as an open declaration, on the part of the British Crown, of an exclusive right to those lands. The Lords Com-

[1] See *South Carolina Gazette* of February 20, 1762.

missioners of Trade and Plantations were also apprehensive that the influence exerted by Grey and his followers would prove prejudicial to the peaceful relations existing between the colonists and the Creek Indians. Hence the anxiety of England for the immediate removal of these malcontents. In 1761, however, when Governor Wright called the attention of the British Ministers to the fact that seventy or eighty of these "runagates from the two Carolinas, Virginia, &c.," were still scattered through the disputed territory, Spain having allied herself with France in hostility to England, the government was less zealous for the enforcement of the orders originally issued for the removal of Grey and his colony. The extension of the limits of Georgia, two years afterwards, to the St. Mary's River, rendered any further action in this matter unnecessary.[1]

The preliminary articles of peace with Spain were announced in December, 1762. The knowledge that Spain was about to cede Florida to Great Britain was received in Georgia and Carolina early in the following year. While the English government was considering the best method of apportioning and disposing of this territorial acquisition, a scheme was devised in Charlestown, South Carolina, for monopolizing the lands lying south of the Alatamaha River. In support of his authority for issuing the extensive grants of land which he then made in the region indicated, Governor Boone contended that by the second charter granted to the Lords Proprietors of Carolina by Charles the Second the limits of that province were extended southward as far as latitude 29°; that the cession of lands to the Georgia trustees embraced only the territory lying between the rivers Savannah and Alatamaha; and that the Crown had never seen fit to restrain the Carolina authorities from exercising jurisdiction beyond the southern boundary of Georgia. He further alluded to the fact that for many years a military post had been maintained south of the Alatamaha River, the garrison of which consisted of troops drawn from South Carolina.[2]

Hearing that Governor Boone was about to issue these grants, and believing such acts to be at once inconsistent with the intentions of the king and injurious to Georgia, Governor Wright dis-

[1] See *Letter from the Board of Trade to Governor Ellis*, dated April 21, 1758. *Letter from Dunk Halifax and others to the Right Honorable William Pitt*, dated Whitehall, March 1, 1758. *Letter of Governor Lyttleton*, dated April 21, 1758. *Letter of Governor Wright to the Board of Trade*, dated October 17, 1761.

[2] See *Letter of Governor Boone to the Lords of Trade and Plantations*, dated Charlestown, South Carolina, August 17, 1763.

patched Grey Elliott, a member of council, to proceed to Charlestown and enter the following caveat and protest: —

"*To Thomas Boone Esqr. his Majesty's Captain General and Governor in Chief in and over the Province of South Carolina, and to all others to whom these presents shall come or may concern.*

"The protestation and caveat of James Wright Esqr. his Majesty's Captain General and Governor in Chief in and over the Province of Georgia, against any warrants being issued or attempts made to survey any lands to the southward of the river Alatamaha by pretence or colour of any right or authority from or under the said Thomas Boone as Governor of South Carolina, or from or under the said Thomas Boone and his Majesty's Council in that Province, and against any grant or grants being passed or signed by the said Thomas Boone for any of the lands aforesaid to any person or persons whatsoever until his Majesty's royal will and pleasure shall be known concerning the same.

"Whereas his late most gracious Majesty, by letter from one of his principal Secretaries of State dated the 10th day of June 1758, was pleased to signify his commands to the Governor of the Province of Georgia that he should immediately give orders in his Majesty's name to the inhabitants of a certain settlement to the southward of the river Alatamaha, made without his Majesty's license or authority, and called by themselves New Hanover, to remove immediately from thence, and that the Governor should take all due care that no settlements whatever be made without leave of his Majesty or by his authority: in the execution of which orders the Governor of Georgia was directed to act in concert with the Governor of Carolina who had received his Majesty's commands to the same purpose:

"And although the reasons which possibly induced his Majesty not to suffer his subjects to settle the aforesaid lands may now be thought not to subsist because his Catholic Majesty, by the 19th preliminary article of peace cedes to our most gracious Sovereign all that Spain possesses on the continent of North America to the east or to the southeast of the river Mississippi; yet, as the ratification of the definitive treaty of peace between Great Britain and Spain, if it has taken effect, is not notified, it would be premature in any of his Majesty's Governors to proceed as tho' it actually was notified: And from the state and light in which those lands have been for some years past considered by his Majesty, to attempt to intermeddle therein until his

Majesty's royal will and pleasure be known and his commands signified thereon, it is conceived would be highly improper and contrary to his Majesty's intention:

"Therefore, for preservation of the rights and claims of the Province of Georgia in and to the premises aforementioned against any extraordinary or injurious attempts of the said Governor and Council of South Carolina for the reasons herein before given and many others transmitted to Great Britain to be laid before his Majesty, I, the said James Wright, as Governor of the Province of Georgia aforesaid, do protest against all and any attempts whatsoever to survey any lands to the southward of the aforesaid river Alatamaha by pretence or colour of any authority from or under the Governor, or the Governor and Council of South Carolina. And do by these presents enter a caveat against any grant or grants being passed or signed by the Governor of South Carolina for any of the lands aforesaid to any person or persons whatsoever, until his Majesty's royal will and pleasure shall be known concerning the same; And in most full and solemn manner protest and declare against all proceedings whatsoever that have already or may hereafter be had or done by the said Governor and Council in or about the disposal of the lands aforesaid as expressly contrary to his Majesty's royal intention, and null and void.

"And that no person or persons may plead ignorance of this protestation and caveat, I so request and demand that it be entered in the book of caveats against grants, usually kept in the Secretary's Office in the Province of South Carolina.

"In testimony whereof I have hereunto set my hand and seal at Savannah in Georgia this thirtieth day of March in the Year of Our Lord 1763.

JA: WRIGHT."

Acting under his instructions, Mr. Elliott proceeded to Charlestown, and on the 5th of April, 1763, exhibited to Governor Boone the foregoing protest and caveat. He refused either to receive or to peruse the document. Mr. Elliott then delivered it to the secretary of the province, with the request that it be recorded. That official promised to record it; but, in the afternoon, returned it to Mr. Elliott with the statement that he had been ordered by the governor and council neither to receive nor to enter it upon the records.

On the 20th of April Sir James Wright advised the Earl of Egremont of these transactions, and protested most earnestly

against the immense grants of land which were being made to parties in Carolina who proposed simply to speculate in and not to occupy them. "Possibly," continues the governor, "by the time this reaches your Lordship, a million of acres may be granted to persons now settled in Carolina, and the greatest part of whom it is expected will continue to live there. Your Lordship will also be pleased to consider how greatly this will affect his Majesty's service in the settlement of this frontier Province, and how much it must be impeded by those vast tracts being held by such an handful of people who live in another Province; and this further ill effect it will have, for nobody will think of coming this way when they hear that the Carolinians have engrossed all the lands. And how contrary does this step seem to be to his Majesty's royal intention! And your Lordship will be pleased to observe that those who have these very great tracts, or any of the persons who are to have these lands, have not one negro or one shilling's property on this side of Savannah river. I have had accounts my Lord of many hundred families, I may say some thousand people, who were ready to come into this Province (chiefly from North Carolina) as soon as it was extended and I should be authorized to grant these very lands, all which will be prevented if these proceedings are suffered to take effect. I must beg leave my Lord, to mention another objection against these grants which seems an equitable one on the side of this Province. Mr. Elliott informs me that one, Mr. Young, who has some negroes in Carolina and also some in Georgia, petitioned for a tract of land for all his negroes, and on his saying that part of those negroes was in Georgia, he was refused lands for them and told he should only have lands for such negroes as he had in Carolina, so that your Lordship sees the inhabitants of this Province are totally excluded. This, my Lord, seems to us here to be very unequitable that the people of this Province, who have borne the brunt and fatigue of settling a new Colony, and who have struggled with innumerable difficulties and hardships besides dangers from the Savages, and, during the war, from the neighbouring French and Spaniards, and who by their great industry and labour have acquired a few negroes and are in a capacity of settling their children or making other settlements for themselves, I say my Lord, it seems to them hard and unequitable that they are not to have an inch of these lands, but that the whole or most of the best is to be swallowed up by strangers who never contributed one farthing or one hour's fa-

tigue or hardship towards the support of the Province; and for these reasons, and many others that must occur, your Lordship will see why I call this the death wound or destruction of Georgia.

"I have never yet, my Lord, granted any lands but to people who actually undertook to settle and improve them forthwith, and only in moderate quantities, for, my Lord, it 's the number of inhabitants we want here, and although these lands may be annexed to Georgia yet if they are engrossed and held by the Carolinians in the manner I have mentioned, it will nevertheless ruin the Province; for, my Lord, as I have already said, altho' if some who have small tracts may probably remove and settle them, yet those who have large tracts it is pretty certain have no such intention and never will, and your Lordship will observe that no less than 343,000 acres were ordered to less than 200 persons, and which quantity alone would accommodate a thousand very good families and settlers, and such as are the sinews and strength of an infant colony.

"It might be impertinent in me to trouble your Lordship further on this subject, the consequence of which your Lordship will see with so much more perspicuity and extension than I can. On the one hand my Lord, with great deference, it seems to be a considerable step towards the ruin of a very flourishing Province: on the Other the advantage rather of a private nature, and this done, it is humbly conceived contrary to his Majesty's royal intention, when even in Charlestown it is the general opinion, and they daily expect to hear, that these lands are annexed to this Province; all which is submitted to your Lordship's consideration."

This cogent letter is followed by another on the 6th of May, in which Sir James Wright enumerates, as far as he has been able to obtain them, the names of the grantees and the amount of land conveyed to each. "I am informed," says he, "that 27,250 acres were ordered to 11 persons, viz. to one Donnone, on account of Col Bed's Estate, 5000 acres, to Lord W^{m} Campbell 2000, to Henry Middleton 3000, to one Stephens 3000, to Henry Lawrens 3000, to W^{m} Hopton 2000, to W^{m} Guering 2000, and to David and John Deas and one Vanderhorst, together, 5250 acres." . . .

"On Tuesday last," he continues, "a great many more warrants were ordered to other persons for lands to the Southward of the river Alatamaha, to the amount of about 160,000 acres as appears by their Gazette; but it 's not in my power to give your

Lordship[1] any further particulars. I shall only add that those large grants will soon reach S^t^ Augustine. Some, it 's said, have already gone far up S^t^ Juan's Lake or River, and the Creek Indians are greatly alarmed at seeing a number of armed men surveying these lands and marking trees. They have sent runners all over the Nation to assemble them together, and what the consequence may be I don't yet say, but am apprehensive it may involve us in difficulties, for, my Lord, there is a great difference between extending our Settlements gradually and easily, and an appearance as though the whole country was to be swallowed up at once and that by armed people; and this the Indians say is a confirmation of what the French have told 'em, that we should take all their lands from 'em and then drive 'em back and extirpate 'em in time."

These, and other letters, addressed by Governor Wright to the Board of Trade, drew from the home government the following communication: —

"*To Thomas Boone, Esquire, Governor of South Carolina.*

"SIR, — A report having prevailed that you had, with the concurrence of the members of his Majesty's Council in South Carolina, issued orders or warrants for surveying large tracts of land in that part of his Majesty's dominions in America which lies to the South of the River Alatamaha in order to pass grants of such lands as being within your Jurisdiction: and the truth of this report having been confirmed by the copy of a protest or caveat of the Governor of Georgia against making such surveys and grants, which has been communicated to us by the Agent of that Province: it is our indispensable duty to avail ourselves of the opportunity by a vessel now ready to depart for Charlestown of expressing to you our surprise and concern that you should have engaged in a measure of this nature so inconsistent with and prejudicial to his Majesty's interests and authority.

"The making grants of any part of this country is certainly contrary to the spirit and intention of his late Majesty's orders for the removal of Grey and his adherents from the settlement of New-Hanover, and must not only embarrass the execution of what general arrangements may be necessary in consequence of the cession of Florida, but will also interfere with those measures it may be reasonably supposed his Majesty will now pursue to extend the government of Georgia and thereby remove those obstacles and difficulties which that well regulated colony has so

[1] The Earl of Egremont.

frequently and justly stated to arise out of the narrow limits to which it is confined.

"We hope however, that this letter will reach you in time enough to prevent any grants passing in consequence of the surveys; and as to any equitable claims which those persons in whose favour the surveys have been made may have in consequence of the expences they have been at, such claims must remain for his Majesty's determination upon a consideration of each particular case; but if it shall appear, as it has been suggested, that this measure has been calculated with a view to the particular benefit of those who advised and acted in it, such persons may be assured that any claims on their part will not only be discountenanced, but that, as officers of the Crown, their conduct will meet that censure and disapprobation it so justly merits.

"We are Sir,

"Your most obedient humble Servants,

SHELBURNE.
ED: ELIOT.
JOHN YORKE.
GEO: RICE.

"WHITEHALL, *May 30th*, 1763."

Governor Wright's protest having been utterly disregarded by Governor Boone, the Board of Trade hastened, so soon as it was advised of these transactions, to declare its disapprobation of them, and to promulgate specific instructions that no grants or charters should be issued for any lands south of the Alatamaha River surveyed under warrants from South Carolina.* The action of Governor Boone was declared *unwarrantable*.

The orders of the Board arrived too late. Surveys had been made, and charters had been issued before the disapprobation and directions of the Lords Commissioners were made known. Governor Boone apologized, but his excuses were deemed unsatisfactory. Meanwhile, the grantees having apparently acquired vested rights in the premises, the Board of Trade, on the 8th of July, 1763, applied to the attorney-general and to the solicitor-general for their opinion upon the question whether, under all the circumstances, the grants to land lying south of the river Alatamaha, made by the governor of South Carolina, were to be deemed valid in law.

The documents laid before the Crown lawyers, to assist them in the proper solution of the inquiry, were the protest of Sir James Wright, the two charters of Carolina, a statute of 2 George II.

ch. 30, an extract from the commission to Governor Johnson empowering him and his successors to grant lands, and the order of the Secretary of State, dated the 10th of June, 1758, directing the removal of Grey and his followers from their settlements south of the Alatamaha, "a country which, the Board were pleased to add, it does not appear the province of South Carolina has at any time exercised any jurisdiction in, or taken any possession of, either while it was under the government of the Proprietors, or since it has been in the hands of the crown." We are not advised that the attorney and solicitor generals ever rendered any opinion.

The Lords Commissioners of Trade and Plantations seem at one time to have resolved to vacate, by process of law, these grants which they always regarded as illegal. To this course were they strenuously urged by Governor Wright who, by the most emphatic representations, called their attention to the failure and neglect of the South Carolina grantees to comply with the royal instructions which rendered it obligatory upon every grantee, within a specified period, to bring into the province either a white person or a negro for every fifty acres of land claimed, and to enter upon the proper cultivation of the same. He also assured them that the surveys upon which these grants were based were partial and unreliable. "It is, my Lords, an undeniable fact," so writes the governor, "that most if not all the Tracts of Land taken up by the Carolina People upon any river were not surveyed, but the method was to stop their Boat and set up a Stake, or Mark a Tree, and then row a guessed distance and there stop again and put in another stake (which they carried in their Boats ready mark'd and notched,) or mark another Tree, and thus make a Plat of the Land all at random without ever stretching a Chain upon the Land. This information I have had from many persons of reputation, some of whom were present. And indeed it must partly appear from the Plots themselves, and very few, if any, of the inland tracts are surveyed, but only a Corner and a few Trees marked, and the rest laid off in the Plot without ever going over or surveying the lands; so that, my Lords, our Surveyors don't know how or where to lay out any Lands in that part of the Country with any certainty, as they can find no Lines to regulate their Surveys by." 1917159

It was finally determined, however, to admit, at least in a qualified manner, the validity of these grants. As the Lords Commissioners of Trade and Plantations did not deem them-

selves justified in entirely abrogating what had been so improvidently done, in order to prevent, as far as practicable, the mischiefs arising from such irregular and uncertain cessions, they ordered that transcripts of all grants to lands south of the Alatamaha should be sent by the governor of South Carolina to the governor of Georgia that they might be recorded in the proper offices of the latter province. Thus it came to pass that these grants which, in their inception, were, to say the least, of very doubtful authority became in a measure legalized and incorporated into the land tenures of Georgia.[1]

As expressing the sentiments of the colony of Georgia with regard to these grants, the General Assembly, on the 25th of March, 1765, passed an act rendering it obligatory upon all persons claiming lands in the province under grants from his majesty witnessed by the governor of South Carolina, within six months after notice of royal approbation of the act should have been received by the governor of Georgia, to appear before the governor in council and make proof that they had "within the Province a family of white persons or negroes amounting in the whole to the number of one person for every fifty acres of land contained in their respective grant or grants, (allowing an hundred acres for the master or head of such family if he shall be come to settle within this Province) agreeable to his Majesty's royal instructions for granting lands to any of his subjects in this Province," and also that the negroes brought into the province were introduced *bona fide*, with an intention to settle and improve the lands claimed, and not with any fraudulent or secret purpose of removing them, or any of them, or carrying them again without the limits of Georgia.

Claimants were also required to produce their original plats and grants and have them regularly recorded and registered in the established offices in Georgia. Upon failure, within a specified time, to comply with this provision, the grants were to be regarded as null and void.

If, upon the production of the plats and grants, it should appear that the surveys upon which they were based were irregular and defective, the grantees were enjoined, under penalty of forfeiture, to have the lands claimed resurveyed within six months by the surveyor-general of the colony of Georgia.[2]

[1] See *A Report of the Attorney-General to Congress containing a Collection of Charters*, etc., pp. 19–21. Philadelphia. 1796.

[2] See *Acts passed by the General Assembly of Georgia at a Session begun and holden at Savannah on Tuesday, the 20th day of November, Anno Domini* 1764, etc., pp. 66–70. Savannah. Printed by James Johnston.

Thus did Georgia endeavor to shield herself against the speculative intervention of sundry parties in South Carolina who, invoking the official sanction of Governor Boone, sought to invest themselves with a title to some of the best lands in the newly-acquired territory.

In forwarding this act for the consideration and approval of the Board of Trade, Governor Wright on the 4th of April, 1765, took occasion to assure their lordships that he could not at that date learn that any settlements whatever had been made upon the granted lands. He affirmed that none of the grantees had peopled their premises with either families or negroes, "nor has one Shilling Tax been paid or offered to be paid in this Province, notwithstanding his Majesty's Royal Proclamation of Annexation in October 1763, and that the Parties have had those lands for a year and ten months; a Specimen, my Lords, of the great advantage this Province is like to receive from the owners of 90,000 acres of the best Land in it."

After the usual reference, the king was pleased to sanction the following report, which was accepted and acted upon as a determination of the whole question.

"*May it please your Majesty.*

"We have had under consideration an Act passed in your Majesty's Colony of Georgia in March 1765 intituled 'An act for the better strengthening and settling the Province by compelling the several persons who claim to hold lands within the same under any grant or grants from his Majesty, witnessed by the Governor of South Carolina, to bring or send into this Province a number of white persons or negroes in proportion to the lands they claim to hold agreeable to his Majesty's royal instructions for granting lands, and to cultivate and improve the same: and for the better ascertaining the said several tracts of land by regulating the surveys and marking the lines thereof and recording the several Plots in the Surveyor General's Office, also for registering and docketing such Grants in the other proper offices in this Province.'

"It will be necessary before we enter into a consideration of the particular provisions of this act briefly to state to your Majesty the occasion and ground upon which it has been enacted.

"The Cession made to your Majesty by the treaty of Paris of all the territories possessed by Spain on the Continent of North America having put an end to the disputes concerning the title to those lands which lay to the south of the Alatamaha river,

and which, pending such dispute, had never been occupied and settled by either nation, the consideration of what might be expedient to be done in respect to these lands necessarily fell under the attention of Government, and it being the opinion of your Majesty's ministers that all the territory to the south of the river St. Mary should be erected into a separate government under the name of East Florida, and that all the lands between that river and the river Alatamaha to the North should be annexed to the Colony of Georgia, which before was bounded to the South by the last mentioned river, this arrangement was notified by your Majesty's proclamation of the 7th of October 1763. Previous however to this signification of your Majesty's will and pleasure as to the disposition of these lands, your Majesty's Governor of the Province of South Carolina thought fit, upon the ground that they lay within the limits of South Carolina according to the charters of King Charles the Second, to pass patents for a considerable part of them to many of the opulent planters in the settled part of that Province upon the terms and conditions prescribed in your Majesty's royal instructions to the said Governor.

"This measure taken by your Majesty's Governor of South Carolina was soon followed by complaints on the part of your Majesty's Governor of Georgia, not only of the irregularity of the measure itself, but also that the surveys in consequence thereof had been slightly and incorrectly made, and that in respect to far the greatest part of the lands no steps had been taken or were likely to be taken for a proper cultivation of them.

"Upon the ground of these representations and upon a consideration of all the circumstances which accompanied this transaction this Board thought fit to signify to the Governor of Georgia in general terms that they would readily concur in any law that should be enacted there for obliging the grantees of those lands to cultivate them according to the conditions of their grants, adopting upon this occasion a measure which appeared to them not only just and necessary in itself, but strictly agreeable to former precedents.

"In consequence of this signification the law now in question was passed with a clause suspending its execution until your Majesty's royal will and pleasure should be known.

"We need not upon this occasion enter into any consideration of such parts of this law as appear by implication to draw into question either the propriety of the measure taken by your Majesty's Government of South Carolina, or the validity of the

grants themselves, but shall confine our observations to the enacting clauses of the act itself and the objections stated to the particular provisions of it by M[r] Dunning who appeared before us as counsel on the occasion for the grantees whose interests are to be affected by this law.

"The principal objections were that this act not only prescribes other terms and conditions than those upon which the lands were granted conformable to your Majesty's instructions to the Governor of South Carolina, but also in the manner of ascertaining the proof of those requisites leaves it entirely to the discretion of the Governor and council to decide what that proof shall be, and further does limit the time of adducing such proofs to six months from the receipt and notification in the Gazette there of your Majesty's confirmation of the act, without any exception in the case of infants, insane persons, or those under other natural disabilities, which exceptions by the strict rules of law ought to be provided for in every case of this nature.

"These objections do not appear to us so essentially to vitiate this act that we cannot recommend it to your Majesty to confirm it.

"At the same time we think it our duty to represent to your Majesty that as there is the greatest reason to believe, as well from the letters we have received from your Majesty's Governor of Georgia, as from what has been laid before us by his agent who appeared in support of the act, that not only the surveys made under the warrant of the Governor of South Carolina have been incorrect, but also that few if any of the grantees have taken any steps for the due and proper settlement and cultivation of the lands, and none have paid the quit rents due to your Majesty according to the terms of their grants. We do entirely agree with our predecessors in office that it is both just and necessary that some effectual means ought to be taken to correct an abuse of this nature operating to the prejudice as well of the public interest as of your Majesty's revenue, and therefore we humbly beg leave to propose that your Majesty's Governor of South Carolina be instructed to give positive directions to the proper officers in that Colony forthwith to prepare transcripts, duly authenticated, of all the patents granted under the Seal of that Province for lands to the southward of the river Alatamaha, and also of all orders, warrants, and proceedings thereupon, and to transmit the same with all convenient dispatch to the Governor of your Majesty's Province of Georgia.

"That your Majesty's Governor of Georgia should be instructed to cause such transcripts, when received by him, to be entered upon record in all the proper offices in that Colony.

"That if the said Governor shall, upon an examination of these documents, or from any other evidence or information, have reason to think that there have been any frauds or abuses in the survey of these lands, he do forthwith issue a warrant to the Surveyor General of lands in the Province of Georgia to cause a resurvey to be made thereof in the presence of the grantees or of such persons as they shall appoint within a reasonable time for that purpose. And in case it shall be discovered upon such resurvey that a greater number of acres has been taken in than are expressed in the original grant, that the said Governor do forthwith grant such surplus to such other persons as shall apply for the same, upon the terms and conditions prescribed by your Majesty's instructions to the said Governor.

"That the said Governor be further instructed to recommend to the Council and Assembly of the Province of Georgia to pass an act for establishing a method of enforcing the cultivation of lands, causing an inquest to be held on the oaths of a jury of twelve men before a Commissioner of escheats and forfeitures to be appointed by the said Governor for that purpose, and enacting that all lands which, upon a return of such inquest into the office of register of the court of chancery, shall appear not to have been duly cultivated according to the terms and conditions of the grant, be vested in your Majesty, your heirs, and successors without any further or other process.

CLARE.
SOAME JENYNS.
WM FITZHERBERT.
THO: ROBINSON.

"WHITEHALL, *May 26th*, 1767."

CHAPTER III.

Territorial Limits of Georgia extended. — Congress of the Four Southern Governors, the Superintendent of Indian Affairs, and the Five Nations at Augusta, in 1763. — Treaty Stipulations. — Petition of Dennis Rolle and Associates. — Utopian Scheme of the Earl of Eglintoun. — Regulations with Regard to the Indian Trade. — Representation of the Georgia Parishes in 1761. — Four Additional Parishes Laid off in 1765. — Land Bounties to Soldiers. — Condition of the Colony. — Conduct of Chief Justice Grover. — Libel upon the Executive.

By royal proclamation, dated at St. James on the 7th day of October, 1763, his majesty King George III., from the extensive and valuable acquisitions in America secured to his crown by the definitive treaty of peace concluded at Paris on the 10th of February in the same year, annexed to the province of Georgia all lands lying between the rivers Alatamaha and St. Mary. The separate governments of East and West Florida were also then organized. The northern boundary of the two Floridas constituted the southern boundary of Georgia as far as the Mississippi River.

Thus did Georgia cease to be a frontier colony. Relieved from those anxieties so long entertained by reason of her proximity to Spanish rule at St. Augustine and Pensacola, and no more exposed to the annoyances of French intrigue and jealousies emanating from Mobile and the Alabama Fort, the province entered upon a career of security and assured prosperity. Her southern and western boundaries, formerly threatened by enemies, were now but dividing lines separating plantations with kindred interests and acknowledging a common allegiance. The change was pleasing and restful, and the effect upon the colony most salutary.

The native population, however, remained, and it became necessary to acquaint the Indians with the change which had occurred, and to perpetuate the amicable relations existing between them and the British Crown. To that end the Earl of Egremont, the principal Secretary of State for the Southern Department, at the instance of the king, addressed communications to the gov-

ernors of the provinces of Virginia, North and South Carolina, and Georgia, directing them, in association with Captain Stuart, the superintendent of Indian affairs, to convene a congress of the Creeks, Cherokees, Catawbas, Chickasaws, and Choctaws, at Augusta, or at such other central point as might be deemed most convenient.

After some discussion, and upon the suggestion of Governor Wright, indorsed by Mr. Stuart, Augusta was selected as the locality most suitable for the convocation. The congress was opened with due formality at the King's Fort, in that town, on Saturday, the 5th of November, 1763. There were present on the part of the English, Governor James Wright of Georgia, Governor Thomas Boone of South Carolina, Governor Arthur Dobbs of North Carolina, Lieutenant-Governor Francis Fauquier of Virginia, and John Stuart, Esq., Superintendent of Indian Affairs in the Southern Department. Seven hundred Indians were in attendance. James Colbert acted as interpreter for the Chickasaws and Choctaws. John Butler, James Beamor, and John Watts interpreted for the Cherokees, and Stephen Forest and John Proctor for the Creeks. Colonel Ayres, the Catawba chief, interpreted for his nation.

The Upper and Lower Chickasaws were represented by the following chiefs: Hopayamatahah, Poucherimatahah, Houpastubah, Piamatah, Hopayamingo, Houratimatahah, Hopayamingo (Jockey's son), and twenty warriors. The chiefs Red-Shoes and Chappahomah represented the Choctaws.

The Upper and Lower Creeks were present in the persons of their chiefs, Captain Aleck, Sympoyaffee, Bohotcher, Sausechaw, Boysonecka, Hillibeesunaga, Firmicho, Poyhucher, Poyhuchee, and their followers.

Of the Cherokees fifteen chiefs appeared, representing the Settlements over the Hills, the Middle Settlements, and the Lower Towns. The Over Hill chiefs were Attakullakulla, Ousteneka, Prince of Chotih, Willanawah, Onatoi, Skiagusta of Chotih, and Moitoi. Those from the Lower Towns were Tiftowih of Keehowee, the Wolf, Houkonata, Man Killer of Keehowee, Good Warrior of Estatowih, Young Warrior of the same place, and the Warrior of Tuscoweh. Will, the head man of Whatogah, led the delegation from the Middle Settlement. The Catawbas were represented by their chief, Colonel Ayres, and some followers.

The conference occurring within the limits of Georgia was

opened by Governor Wright. Observing that the day was fair, and indulging the hope that all the talks would not prove otherwise, he invited the Indians to heed the utterances of Mr. Stuart, as he had been selected by the governors present to give expression to their united sentiments.

Thus commended, Mr. Stuart, addressing the assembled Indians as friends and brothers, assured them that he spake by command of the great King George, who, under God, the Master and Giver of breath, was the common father and protector both of the English and of the red men: that no conference was ever intended to be more general or more friendly; that, provoked at the repeated cruelties, insults, and falsehoods of the French and Spaniards, the King of England had put forth his strength and defeated both his perfidious enemies; that in order to prevent a recurrence of former disturbances, his majesty insisted upon the removal of the French and Spaniards beyond the Mississippi; that, all cause of trouble being now at an end, he hoped the Indians and English would dwell together in peace and brotherly friendship; "that all past offences should be buried in oblivion and forgiveness;" that the English were prepared to deal fairly, and to supply the Indian nations with everything they might require; and that the forts recently surrendered by the French would be used for the assistance and protection of the natives and for the convenience of a trade which, it was believed, would prove mutually beneficial. "The White people," he said in conclusion, "value themselves on speaking truth: but to give still greater weight to what we say, the great King has thought proper that his four Governors and the Superintendent from a great distance should utter the same words at the same time; and, to remove every umbrage or jealousy, that you should all hear them in presence of one another, and bear testimony for one another in case we should ever act contrary to our declarations."

The responses of the chiefs and various rejoinders occupied the attention of the congress until the 10th of November, when the following treaty was formally ratified by all parties present: —

"ARTICLE I. That a perfect and perpetual peace and sincere friendship shall be continued between his Majesty King George the Third and all his subjects, and the several nations and tribes of Indians herein mentioned, that is to say, the Chicasahs, Upper and Lower Creeks, Chactahs, Cherokees, and Catawbas: and each nation of Indians hereby respectively engages to give

the utmost attention to preserve and maintain peace and friendship between their people and the King of Great Britain and his subjects, and shall not commit or permit any kind of hostilities, injury, or damage whatever against them from henceforth, and for any cause, or under any pretence whatever. And for laying the strongest and purest foundation for a perfect and perpetual peace and friendship, his most sacred Majesty has been graciously pleased to pardon and forgive all past offences and injuries, and hereby declares there shall be a general oblivion of all crimes, offences and injuries that may have been heretofore committed or done by any of the said Indian parties.

"ARTICLE II. The subjects of the great King George and the aforesaid several nations of Indians shall, forever hereafter, be looked upon as one people. And the several Governors and Superintendent engage that they will encourage persons to furnish and supply the several nations and tribes of Indians aforesaid with all sorts of goods, usually carried amongst them, in the manner which they now are, and which will be sufficient to answer all their wants. In consideration whereof, the Indian parties on their part, severally engage in the most solemn manner that the traders and others who may go amongst them shall be perfectly safe and secure in their several persons and effects, and shall not on any account or pretence whatever be molested or disturbed whilst in any of the Indian towns or nations, or on their journey to or from the nations.

"ARTICLE III. The English Governors and Superintendent engage for themselves and their successors, as far as they can, that they will always give due attention to the interest of the Indians and will be ready on all occasions to do them full and ample justice. And the several Indian Parties do expressly promise and engage for themselves severally, and for their several nations and tribes pursuant to the full right and power which they have so to do, that they will in all cases and upon all occasions do full and ample justice to the English: and will use their utmost endeavours to prevent any of their people from giving any disturbance, or doing any damage to them in the settlements or elsewhere as aforesaid, either by stealing their horses, killing their cattle, or otherwise, or by doing them any personal hurt or injury; and that if any damage be done as aforesaid, satisfaction shall be made to the party injured: and that if any Indian or Indians whatever shall hereafter murder or kill a white man, the offender or offenders shall, without any delay, excuse, or pretence

whatever, be immediately put to death in a public manner in the presence of at least two of the English who may be in the neighbourhood where the offence is committed.

"And if any white man shall kill or murder an Indian, such white man shall be tried for the offence in the same manner as if he had murdered a white man, and, if found guilty, shall be executed accordingly in the presence of some of the relations of the Indian who may be murdered, if they choose to be present.

"ARTICLE IV. Whereas doubts and disputes have frequently happened on account of encroachments, or supposed encroachments committed by the English inhabitants of Georgia on the lands or hunting grounds reserved and claimed by the Creek Indians for their own use: Wherefore, to prevent any mistakes, doubts, or disputes for the future, and in consideration of the great marks of clemency and friendship extended to us the said Creek Indians, we, the Kings, Head-men, and Warriors of the several nations and towns of both Upper and Lower Creeks, by virtue and in pursuance of the full right and power which we now have and are possessed of, have consented and agreed that, for the future, the boundary between the English settlements and our lands and hunting grounds shall be known and settled by a line extending up Savannah river to Little river and back to the fork of Little river, and from the fork of Little river to the ends of the south branch of Briar Creek, and down that branch to the lower Creek path, and along the lower Creek path to the main stream of Ogeechie river, and down the main stream of that river just below the path leading from Mount Pleasant, and from thence in a straight line cross to Sancta Sevilla on the Alatamaha river, and from thence to the southward as far as Georgia extends, or may be extended, to remain to be regulated agreeable to former treaties and his Majesty's royal instruction, a copy of which was lately sent to you.

"And we the Catawba Head-Men and Warriors, in confirmation of an agreement heretofore entered into with the white people, declare that we will remain satisfied with the tract of land of fifteen miles square, a survey of which by our consent, and at our request, has been already begun; and the respective Governors and Superintendent on their parts promise and engage that the aforesaid survey shall be compleated, and that the Catawbas shall not, in any respect, be molested by any of the King's subjects, within the said lines, but shall be indulged in the usual manner of hunting elsewhere.

"And we do by these presents give, grant, and confirm unto his most sacred Majesty, King George the Third, all such lands whatsoever as we the said Creek Indians have at any time heretofore been possessed of or claimed as our hunting grounds, which lye between the sea, the river Savannah, and the lines herein before mentioned and described, to hold the same unto the great King George and his successors forever. And we do fully and absolutely agree that from henceforth the above lines and boundary shall be the mark of division of lands between the English and the Creek Indians, notwithstanding any former agreement or boundary to the contrary; and that we will not disturb the English in their settlements or otherwise within the lines aforesaid.

"In consideration whereof it is agreed on the part of his Majesty, King George, that none of his subjects shall settle upon or disturb the Indians in the grounds or lands to the westward of the lines herein before described: and that if any shall presume to do so, then, on complaint made by the Indians, the party shall be proceeded against for the same, and punished according to the laws of the English."[1]

The following day liberal presents were distributed by Mr. Stuart to all the assembled Indians. The four governors united in an explanatory letter to the Earl of Egremont advising him of the satisfactory manner in which the king's commands, as signified in his lordship's communication of the 16th of March, had been obeyed, and suggesting the establishment of commercial relations with the Indians upon a general, safe, and equitable footing.

In transmitting a copy of this treaty to the Board of Trade, Governor Wright, on the 23d of December, assures the Lords Commissioners that this accession of territory from the Indians will encourage the incoming of many settlers and promote the prosperity of Georgia. In this expectation he was not disappointed.

The extension of the territorial limits of Georgia rendered it proper that a new commission should be issued to Governor Wright. Accordingly, the former letters-patent, constituting him Captain General and Governor in Chief of the Colony of Georgia as then constituted, were revoked, and by a commission sealed at

[1] See *Journal of the Congress of the four Southern Governors and the Superintendent of that District with the five Nations of Indians at Augusta*, 1763, pp. 1–45. South Carolina. Charles-Town. Printed by Peter Timothy. MDCCLXIV.

Westminster on the 20th of January, 1764, he was invested with gubernatorial powers and authority commensurate with the enlarged confines of the province.

No longer plagued by the French and Spaniards, at peace with the circumjacent Indian nations, its boundaries widened and guarded on the south and west by two new English plantations, Georgia now occupied a position which it never before enjoyed. With an increasing population and expanding commerce, and presided over by a chief magistrate eager for the promotion of its best interests, the province day by day rose in importance and was fast realizing the expectations which its illustrious founder had conceived for it.

Among the parties applying for lands in the newly acquired territory were Dennis Rolle, a member of Parliament; William Reynolds, a London merchant and an elder brother of the Trinity house; George Buch, colonel of the Devonshire militia; Captain John Buch, his brother; and Dr. Robert Willan, of London. From the Board of Trade they requested a cession of lands "to extend from the Georgian line on the north to another line southward to be drawn parallel with the equator from two miles below the forks of the river Apalachicola to the river Alatamaha, to be bounded on the west by the first, and on the east by the last of these rivers."

On the south side of the Alatamaha they proposed to lay out and settle a town. The capital of the plantation was to be located on the Appalachicola. The avowed objects of the petitioners were the cultivation of silk, indigo, and cotton, the collection of ship-timber and naval stores, and the establishment of facile communication with the Creeks and with the Gulf of Mexico. It was proposed to populate this region with European immigrants; and that the good government of the projected settlement might be assured, the petitioners requested either the appointment of a governor at the charge of the Crown during the infancy of the expensive undertaking, or that the applicants should be invested with gubernatorial powers such as were accorded in the cases of Pennsylvania and Maryland. The erection of such an *imperium in imperio* failing to commend itself to the approbation of the Board of Trade, the applicants, nothing daunted, petitioned the Earl of Hillsborough and the other Lords Commissioners of Trade and Plantations for a grant of Cumberland Island on the Georgia coast "for the purpose of raising cotton, silk, oil, and wine, and such other commodities as may be

hoped for in a warm climate." Distrusting the expediency of such a cession, and perhaps not thoroughly persuaded of the ability of the petitioners to consummate their design in a manner conducive to the best interests of the province, the Lords Commissioners denied this application also.

A few months afterwards another Utopian scheme was presented for the consideration of the Board of Trade. Alexander Montgomerie, the tenth Earl of Eglintoun, and his associates submitted a proposition to the king in council whereby they expressed a willingness to introduce at their own expense one hundred thousand colonists. During the first five years ten thousand were to be sent over to Georgia, and eighteen thousand within every five years thereafter until the whole number should have been transported and settled. In return for such labor and the necessary expenditure of time and money, the Crown was memorialized to vest in the applicants and their associates the ownership of the region to be thus peopled. General jurisdiction was to be retained by the king; and the proprietors, in making grants, were to conform to such instructions as might be promulgated by the Secretary of State or the Lords Commissioners of Trade and Plantations.

The petitioners begged that a member of the royal family should be placed at the head of the undertaking. They confessed a willingness to observe in all respects the terms of his majesty's proclamation encouraging the settlement of the newly acquired territory. They proposed to give ample security to pay into the royal exchequer, free from all charges and deductions, one shilling per annum for every hundred acres of land granted. Such quit rents, however, were not to be payable until fifteen years after the dates of the respective grants.

"And all these conditions," they added in conclusion, "we will be obliged to perform upon a penalty of the resumption of the grants and the loss of whatever we may have laid out previous to the forfeiture, together with any other security that may be adjudged necessary for the performance of this task, particularly against the monopoly of the lands, by being subject to such directions respecting grants as your Majesty shall from time to time signify to us by your Secretary of State and Lords of Trade and Plantations, whereby we shall be as much under the control of your Majesty's Government as the present Governors and Councils of those provinces, or any other part of the Continent of America, who are now vested with a power of granting lands

under your Majesty's commissions and instructions; and we are also ready to submit to any other measures for the true and reasonable interest of the colony and mother country which can be contrived so as to make the one grow and flourish under the protection and superintendency of the other."

The newly acquired territory having been already assigned to the provinces of Georgia and of East and West Florida, his majesty refused to sanction this application of the Earl of Eglintoun and his associates, which savored much more of private emolument to those who submitted it than of general advantage to the royal possessions in America.

In order that the promises contained in the treaty entered into at Augusta with regard to fair dealing with the Indian nations might be duly observed by the licensed traders, Governor Wright established stringent regulations, among which the following may be mentioned: —

Every trader was so to conduct himself that "no offence be given to the Christian Religion." All horses, hogs, and cattle accompanying the trader were to be carefully guarded in order that no damage should be done by them to the growing crops of the natives. It was expressly forbidden to compel an Indian by threats to perform any labor, to carry any pack or burthen, or to buy or sell contrary to his will and inclination. The trader was not allowed to receive any present, gift, fee, or reward from an Indian, or to credit any member of the community to a greater extent than one pound of powder and four pounds of bullets. The savages were to be informed that they were relieved from all obligation to pay debts previously contracted. No arms, ammunition, or goods were to be sold to Indians acknowledging allegiance to the Crowns of France and Spain. Traffic in swan shot was prohibited. Any information acquired touching the movements or designs of the French and Spaniards was to be promptly and faithfully communicated. It was not permitted to a trader, without special permission from the governor, to bring an Indian within the limits of the white settlements. Persons found trading with the natives without license were to be immediately reported. Matters relating to the affairs and government of the province could not form subjects of conversation with the natives, and the servants of traders were forbidden to traffic with the Indians. No servant could remain in the Indian territory; and if any person in the employment of the trader committed a capital offense, it was made the duty of

the trader to take him before a magistrate for trial and punishment. Upon the renewal of his license each trader was required to submit a statement of all skins and effects purchased from the Indians and of all goods sold or left at his trading-post. It was also incumbent upon him to hand in a journal of all proceedings during his sojourn in the Indian country. No free Indian, negro, or slave could, without special leave, be employed to assist the trader in the prosecution of his calling, or in rowing his boats from any garrison into the red man's territory. Rawhides could not be accepted in exchange for goods. The sale of rum, spirituous liquors, and "rifled barrelled guns" was absolutely prohibited.

With the exception of an occasional murder resulting from some personal quarrel, or committed under the influence of strong drink, the intercourse between the colonists and the Indians was for many years amicable and satisfactory. This happy state of affairs was largely due to the watchfulness, wisdom, and liberality of Governor Wright, who held the traders to strict accountability and, by apt interviews with the influential chiefs of the Creeks and the Cherokees, and by generous presents, inculcated and maintained friendly relations.

The province of Georgia now consisted of eight parishes which, in pursuance of writs of election issued by Governor Wright in 1761, had the following representation: —

Christ Church Parish. — *Savannah.* Joseph Ottolenghe, Grey Elliott, Lewis Johnson, and Joseph Gibbons. *Acton.* William Gibbons. *Vernonburg.* Edmund Tannatt. *Sea Islands.* Henry Yonge. *Little Ogeechee.* James Read.

St. Matthew's Parish. — *Abercorn and Goshen.* William Francis. *Ebenezer.* William Ewen, N. W. Jones, and James de Veaux.

St. George's Parish. — *Halifax.* Alexander Wylly and James Whitefield.

St. Paul's Parish. — *Augusta.* Edward Barnard, John Graham, —— Williams, or L. McGillivray.

St. Philip's Parish. — *Great Ogeechee.* Elisha Butler and John Maxwell.

St. John's Parish. — *Midway and Sunbury.* Thomas Carter, Parmenus Way, and John Winn.

St. Andrew's Parish. — *Darien.* Robert Baillie and John Holmes.

St. James' Parish. — *Frederica.* Lachlan McIntosh.

In 1765 four additional parishes were laid off between the Alatamaha and the St. Mary's rivers, viz., ST. DAVID, ST. PATRICK, ST. THOMAS, and ST. MARY.[1]

To testify his appreciation of the successful services of his soldiers in the recent war, and to encourage the rapid settlement of the newly acquired territory, his majesty King George was pleased to grant to each field officer who had served in America five thousand acres of land, to every captain three thousand, to a subaltern officer two thousand, to every non-commissioned officer two hundred, and to each private soldier fifty acres. These grants were to remain free of tax for ten years, but they were subject to the same conditions as to cultivation and occupancy as were attached to other royal alienations within the same limits.

Alluding to the condition of Georgia at this epoch, Captain McCall[2] thus writes: "No province on the continent felt the happy effects of this public security sooner than Georgia which had long struggled under many difficulties arising from the want of credit from friends and the frequent molestations of enemies. During the late war the government had been given to a man who wanted neither wisdom to discern nor resolution to pursue the most effectual means for its improvement. While he proved a father to the people and governed the province with equity and justice, he discovered at the same time the excellence of its lowlands and river swamps, by the proper management and diligent cultivation of which he acquired in a few years a plentiful fortune.[3] His example and success gave vigor to industry and promoted a spirit of emulation among the planters for improvement. The rich lands were sought for with that zeal, and cleared with that ardor, which the prospect of riches naturally inspired. The British merchants observing the Province safe and advancing to a hopeful and promising state were no longer backward in extending credit to it, but supplied it with negroes and goods of British manufacture with equal freedom as other provinces on the Continent. The planters no sooner got the strength of Africa to assist them than they labored with success, and the lands every year yielded greater and greater increase. The trade of the Province

[1] See McCall's *History of Georgia*, vol. i. pp. 285, 302. Savannah. 1811.

[2] *History of Georgia*, vol. i. p. 288. Savannah. 1811.

[3] Governor Wright's long residence in South Carolina had rendered him familiar with rice culture; and, during his sojourn in Georgia, he was recognized as one of the largest and most successful planters in the colony.

kept pace with its progress in cultivation. The rich swamps attracted the attention not only of strangers but even of the planters of Carolina who had been accustomed to treat their poor neighbors with the utmost contempt; several of whom sold their estates in that Colony and removed with their families and effects to Georgia. Many settlements were made by the Carolinians about Sunbury and upon the Alatamaha. The price of produce at Savannah increased as the quality improved, — a circumstance which contributed much to the prosperity of the country. The planters situated on the opposite side of Savannah River found in the capital of Georgia a convenient and excellent market for their staple commodities. In short, from this period the rice, indigo, and naval stores arrived at the markets in Europe of equal excellence and perfection and, in proportion to its strength, in equal quantities with those of its more powerful and opulent neighbors."

So rapid had been the development of the Midway District, and such importance had the town of Sunbury attained, that in September, 1762, Governor Wright,[1] with the assent of council, constituted it a port of entry, and appointed Thomas Carr collector, John Martin naval officer, and Francis Lee searcher.

Much attention was bestowed upon the public roads of the province, upon the maintenance of ferries at important points, and upon establishing easy communication, by direct lines, between the principal towns. To Captain DeBrahm is great credit due for the intelligence and industry exhibited in the location and construction of these highways. As late as December, 1764, the road from Charlestown to Savannah terminated at Purrysburg, whence the conveyance was down the river by boat. Soon afterwards, however, a new highway was opened which rested upon the Savannah River less than two miles below the town of Savannah, and there a ferry was established which greatly facilitated travel and the transmission of postal matter.[2]

One of the earliest annoyances experienced by Governor Wright in the administration of the internal affairs of the colony arose from the extraordinary conduct of William Grover. He was the chief justice of the province and, by virtue of his office, was capable of exercising the largest powers and of exerting a most potent influence in the maintenance of law and order, in the punishment

[1] See *Letter to the Earl of Halifax*, dated Savannah, 8th of December, 1763.

[2] See *Letter of Governor Wright to the Earl of Halifax*, dated Savannah in Georgia, 24th Dec., 1764.

of crime, and in shaping the moral tone of the community. Instead of responding to the requirements of his important station, he ignored its responsibilities, disregarded its obligations, prostituted its functions, and proved recreant to its trusts. So notorious became his official deportment that it attracted general comment and elicited almost universal condemnation. An examination into his judicial course, inaugurated and conducted at the instance of the common council, resulted in a unanimous verdict that his behavior had been and was "partial, illegal, indecent, and not consistent with the character, duty, and dignity of his office." It was resolved that he was unworthy of being continued in the position of chief justice of the colony, and that the honor of the service demanded his suspension until the pleasure of the king could be ascertained. Governor Wright did suspend him from office, and in a communication addressed to the Earl of Egremont, dated January 3, 1763, assigned the following reasons in justification of his action: —

I. Although a member of council, Chief Justice Grover, without cause, absented himself from its called meetings, and failed to discharge the duties devolving upon him as one of that important body.

II. Although a Crown servant and in the receipt of a salary of £500, so far from rendering any assistance in the conduct of public affairs, he constantly manifested a disposition to oppose and thwart measures conducive to the general good.

III. In a manner wholly unjustifiable, he sought to influence the deliberations and opinions of the General Assembly.

IV. His judicial powers were improperly exercised to the disturbance of military discipline and subordination.

V. He was arbitrary and oppressive in the enforcement of the legal process of his court, and careless of the rights of personal liberty.

VI. In reporting to the governor the judgments and sentences of the court of sessions, he was utterly negligent.

VII. He refused to attend a special court of oyer and terminer ordered for the trial of vagabond Spaniards who had, near Darien, murdered McKay, his wife, and two negroes.

VIII. Toward the governor his behavior was uniformly insubordinate and contumacious.

IX. In the discharge of his official duties he was partial and not above suspicion.

After full investigation the Board of Trade deemed the charges

preferred fully proven; and, by the king, was Mr. Grover removed from office in March, 1763.

Upon his suspension the following libel was found inscribed on the wall of a building near the State House in Savannah: —

"From Briton's gay Island where liberty reigns,
Where Flora and Ceres enliven the plains,
Where George still with wisdom and glory defends
The blessings which nature profusely extends,
Whence comes it dear W —— that again thou explores
From Regions to happy American shores?
Carolina her agent must surely bemoan
And each vot'ry of Hermes[1] reëcho the groan.
Thy fortune expiring he no more can raise.
His sons shall no longer thy eloquence praise.
Is it ambition courts thee with soft soothing air,
Or power, or riches that make thee repair
To climates so sultry?
It is not ambition alone does invite,
But power and riches both equal delight:
For what makes all doctrines most plainly appear,
It cannot be less — than a thousand a year.
When lordly I stalk a phantom of state,
Though mean my appearance, my heart is elate.
Plans of Castles I dread, make speeches to F. . . G. . . .
Who like —— and —— are my ready good tools.
A Council submissive attend on my nod,
Or, if fractious they prove, I 'll suspend them by God.
Hoc voleo my motto, *sic voleo* my rule.
Now damn you W—ll G——r, who says I 'm a fool?"

Incensed at this scandalous publication, the General Assembly, on the 10th of December, 1762, framed and submitted the following address to Governor Wright: —

"*May it please your Excellency.*

"We, his Majesty's most dutiful and loyal subjects, the Council and Commons House of Assembly of the Province of Georgia in General Assembly met, beg leave to represent to your Excellency that whereas a certain false, scandalous, and defamatory Libel, highly reflecting on your Excellency and the whole Legislative Body of this Province, was lately found inscribed on the wall of an apartment near the State House:

"And whereas all means hitherto used have been found ineffectual to find out the author thereof, we therefore, that nothing may be wanting on our part towards discovering and punishing the person or persons concerned in the making and publishing the said libel, and to testify our detestation of the false, scandalous, and malicious insinuations contained therein, and particu-

[1] The God of lawyers and of thieves.

larly to that part that so unjustly reflects on your Excellency whose upright, disinterested, and impartial administration has on all occasions been deservedly approved of by us, and justly requires our utmost efforts to support and maintain, do earnestly desire that your Excellency will be pleased to issue a proclamation offering a reward of one hundred and five pounds sterling (for which we will provide) to any person or persons who shall discover the author or authors of the said Libel so as he or they may be convicted thereof."

Sharing in the public indignation, and gratified at this action of the General Assembly, Governor Wright responded: —

"GENTLEMEN, — Libelling is one of the most scandalous and infamous offences a man can be guilty of, and I was hopeful that on the inquiry of both Houses sufficient matter would have appeared to you whereby you might have been able to fix upon and punish the author or authors of that most malicious Libel against the whole Legislative Body of this Province. Certain I am that every good man, that every honest man and well wisher to the Province, will think it his duty to bring such base delinquents to condign punishment: but, as your endeavors to discover the person or persons concerned have proved ineffectual, (tho' I believe no man in his private opinion can doubt who it was and from whence it came) and as both houses request, I will issue a proclamation and offer a reward of £105 sterling to any person who shall discover the author or parties concerned. . . . I thank both Houses for the good opinion they entertain of me, and for the just resentment they have shewn against such vile attempts."

Although no positive proof was elicited to bring to punishment the author of this libel, it was the general belief that it originated with the disgraced chief justice of the colony.

Harmless fell the libel, and its author sought to conceal himself within the dark shadows with which he had enveloped himself when tracing those defamatory lines. The envenomed shaft pierced not the good armor of the just governor who, secure in the affections and the esteem of his people, and intent upon the execution of the weighty trust committed to his keeping, regarded the malicious snarl and its baseless insinuations as

> "But the fate of place, and the rough brake
> That Virtue must go through."

CHAPTER IV.

STAMP ACT OF 1765. — ITS EFFECT IN GEORGIA. — GOVERNOR WRIGHT'S REPORTS OF THE PROCEEDINGS OF THE LIBERTY BOYS. — THE SOUTH CAROLINA DECLARATION OF RIGHTS ENLISTS THE SYMPATHY OF GEORGIANS. — HABERSHAM'S OPINION. — GEORGIA'S POSITION. — UNGENEROUS ATTITUDE OF SOUTH CAROLINA. — PARLIAMENTARY DEBATE. — REPEAL OF THE ACT. — LEGISLATIVE PROCEEDINGS. — ADDRESS OF THE GENERAL ASSEMBLY TO THE KING. — A NEW SPIRIT ABROAD IN THE LAND.

IN support of the Stamp Act, by which it was proposed that the British Parliament should not only tax the American colonies but enforce the collection by decrees of English judges without the intervention of juries, Grenville argued that because the provinces could claim the protection of the home government Parliament, in return, had a right to exact a revenue from them. Protection, said he, involves an army; an army must be fed and paid; and the requisite money and provisions can only be obtained by means of taxation. When considering the claim advanced by the colonies that they could be lawfully taxed only in accordance with their own consent as expressed by their representatives, he advocated the doctrine that Parliament, as the common council of the whole empire, could impose both internal taxes as impost duties, and taxes on intercolonial trade.

Charles Townshend, the reputed master of American affairs, triumphantly propounded the inquiry, "And now will these American children planted by our care, nourished up by our indulgence to a degree of strength and opulence, and protected by our arms, grudge to contribute their mite to relieve us from the heavy burden under which we lie?"

To him the impassioned Barré, the companion and friend of Wolfe and the sharer of the dangers and the glories of Louisburg and Quebec, responded with flashing eye and outstretched arm, "*They planted by your care!* No: your oppressions planted them in America. They fled from your tyranny to a then uncultivated, unhospitable country where they exposed themselves to almost all the hardships to which human nature is liable, and among others to the cruelties of a savage foe the most subtle, and

I will take upon me to say the most formidable, of any people upon the face of God's earth; and yet, actuated by principles of true English liberty, they met all hardships with pleasure. . . . *They nourished up by your indulgence!* They grew by your neglect of them. As soon as you began to care about them, that care was exercised in sending persons to rule them in one department and another who were, perhaps, the deputies of deputies to some members of this house, sent to spy out their liberties, to misrepresent their actions, and to prey upon them: men whose behavior on many occasions has caused the blood of those SONS OF LIBERTY to recoil within them: men promoted to the highest seats of justice, some who, to my knowledge, were glad, by going to a foreign country, to escape being brought to the bar of a Court of Justice in their own. *They protected by your arms!* They have nobly taken up arms in your defence; have exerted a valor, amidst their constant and laborious industry, for the defence of a country whose frontier was drenched in blood, while its interior parts yielded all its little savings to your emolument. And believe me, remember I this day told you so, the same spirit of freedom which actuated that people at first, will accompany them still. But prudence forbids me to explain myself further. God knows I do not at this time speak from motives of party heat; what I deliver are the genuine sentiments of my heart. However superior to me in general knowledge and experience the respectable body of this house may be, yet I claim to know more of America than most of you, having seen and been conversant in that country. The people, I believe, are as truly loyal as any subjects the King has; but a people jealous of their liberties, and who will vindicate them if ever they should be violated. But the subject is too delicate; I will say no more."

Notwithstanding a difference of sentiment, and in the teeth of all protests entered by the agents of the colonies, the Stamp Act of 1765 was passed by both houses of Parliament. Alluding to the objection urged by the American colonies to taxation without representation, one of the ministry exclaimed, "We have power to tax them, and we will tax them." In the language of Benjamin Franklin, the British nation was provoked by American claims of independence, and all parties resolved by this act to settle the question. It was the old story of the arbitrary exercise of irresistible might. Too crazy to appreciate the true nature of the act he was called upon to perform, George III. signified his royal

assent to the act by a commission. Thus did a bit of parchment, bearing the sign of his hand scrawled in the flickering light of clouded reason, under the British constitution compass the full legislative office of the king. Had he been a private individual, his commission could have imparted validity to no instrument.[1]

It was the belief of the American agents in England that the stamp tax could be peacefully levied, and no one supposed the colonies would dispute the matter with Parliament at the point of the sword. Knox, the Georgia agent, wrote publicly in its favor, and even the patriotic Otis deemed it the duty of the colonists to submit. Franklin did not doubt but that it would be carried into effect. Sadly did they all mistake the temper and resolution of their constituents. Sweeping were the terms of the act. Unless the stamps prescribed were used, "marriages would be null, notes of hand valueless, ships at sea prizes to the first captors, suits at law impossible, transfers of real estate invalid, inheritances irreclaimable." Not a member of the ministry prophesied that the tax would be resisted, and Grenville himself "did not foresee the opposition to the measure, and would have staked his life for obedience."

When first acquainted with the nature of the proposed act, the Georgia authorities regarded the stamp duty "as equal as any that could be generally imposed on the Colonies, though the manner of imposing it greatly inspired alarm." [2]

While the other colonies, through timid hesitation or from the want of opportunity, remained silent, Virginia "rang the alarum bell" and "gave the signal for the continent." From the lips of the eloquent Patrick Henry fell the bold declaration that the inhabitants of that colony inherited from the first settlers of that dominion equal franchises with the people of Great Britain; that this equality had been declared in royal charters; that taxation by themselves, or by persons chosen by themselves to represent them, was the distinguishing characteristic of British freedom and of the English constitution; that Virginians had uninterruptedly enjoyed the right of being thus governed by their own laws regulating their internal polity and taxation; that this right had never been forfeited or surrendered, but had been constantly recognized by the king and people of the United Kingdom; that the General Assembly of the colony possessed the sole right and power to lay taxes on its inhabitants; that

[1] Bancroft's *History of the United States*, vol. v. p. 248. Boston. 1852.

[2] Georgia Committee to Knox, April 15, 1765.

any attempt to vest such power in any other persons tended to destroy British as well as American freedom; that the inhabitants of Virginia were not bound to yield obedience to any laws designed to impose taxation except such as were promulgated by their own General Assembly; and that any one who either by speaking or writing maintained the contrary should be deemed an enemy to the colony.

The sentiments thus promulgated commended themselves to the approbation of sister colonies. James Otis, of Boston, advocated the calling of an American congress which, consisting of committees from each of the thirteen colonies, should, without asking the permission of the king, come together and deliberate upon the propriety of the acts of Parliament. In New York a reprint of the Stamp Act was hawked about the streets as the "Folly of England and the ruin of America." The "Sons of Liberty" were banded together North and South, and were busily engaged in planning retaliation or redress. "It is an insult on the most common understanding," said James Habersham of Georgia, "to talk of our being virtually represented in Parliament." Associations were formed to resist the Stamp Act by all lawful means, and it was hoped that American rights and liberties might safely be intrusted "to the watchfulness of a united continent." "Liberty, Property, and no Stamps" became the general cry, and the resolve was to resist the enforcement of the act.

On Monday, the 7th of October, 1765, the congress suggested by Otis assembled in New York. It was a bold convocation. Although not represented by delegates, Georgia was present in the person of a messenger who was sent to obtain a copy of the proceedings. Eschewing charter privileges, and building upon the principles of natural justice and universal reason, the delegates resolved in their declarations and remonstrances to stand upon those rights which they all knew and recognized as men and as descendants of Englishmen.

Dwelling upon the inherent right of trial by jury in opposition to the extension of the admiralty jurisdiction; insisting upon freedom from taxation except through the respective colonial legislatures; pronouncing all supplies to the Crown derived from the American colonies free gifts; confessing that from local circumstances the English colonies in America could never be represented in the House of Commons; acknowledging subordination to the Parliament of Great Britain, and extolling the English

constitution as the most perfect form of government and the source of all civil and religious liberty, the delegates argued that in reason and sound policy there existed "a material distinction between the exercise of a Parliamentary jurisdiction in general acts of legislation for the amendment of the common law or the regulation of trade through the whole empire, and the exercise of that jurisdiction by imposing taxes on the Colonies, from which they therefore entreated to be relieved."

On the morning of the 25th this congress assembled for the last time, and the delegates set their hands to resolutions, remonstrances, and declarations by which the colonies became, as they expressed it, "a bundle of sticks which could neither be bent nor broken." For the stamp distributers was the warning given, "Assure yourselves the spirit of Brutus and Cassius is yet alive," and from the united nation went up the cry, "We will not submit to the Stamp Act upon any account or in any instance."

Upon receipt of the circular letter forwarded by the General Assembly of Massachusetts, soliciting the formation of a congress to assemble in New York in October, 1765, Mr. Wylly, speaker of the Commons House of Assembly of Georgia, issued a call to the members, requesting a convention at Savannah at an early day. Sixteen members responded, and on the 2d of September came together at the place named. Through the strenuous influence of Governor Wright they were prevailed upon not to send delegates to the proposed congress. They did, nevertheless, prepare and transmit a response to the Massachusetts invitation, intimating their readiness to coöperate heartily in every measure devised for the support and protection of the common rights of the colonies.

So satisfied was the governor with his loyal exertions and with the apparent tranquillity of the province that as late as the 20th of September he informed the Earl of Halifax that everything was well and doing well. Far otherwise was the tenor of his communication addressed to Mr. Secretary Conway on the 31st of January, 1766: —

"Sir, — Yesterday I had the honour to receive the duplicates of your Excellency's letter of the 24th of October, and it is with the utmost concern that I am to acquaint your Excellency that the same spirit of sedition, or rather rebellion, which first appeared at Boston has reached this Province, and I have for three months past been continually reasoning and talking with the most dispassionate and sensible people in order to convince them

of the propriety of an acquiescence, and submission to the King's authority and that of the British Parliament, until they could point out their grievances, if any, and apply for redress in a constitutional way. I have also Sir, pointed out the dangerous consequences, distresses, and misery they must inevitably bring upon themselves by following the example of the Northern Colonies. This I have done in the strongest and most striking point of view I could place it in, and exactly agreeable to the sense and spirit of your Excellency's letter I had the honor to receive yesterday. At other times I have had recourse to such little force as is in my power, and have in some measure preserved and supported his Majesty's authority and prevented the Stamp papers from being destroyed, but Sir, I must at the same time declare that I have had the great mortification to see the reins of government nearly wrested out of my hands, his Majesty's authority insulted, and the civil power obstructed. But that your Excellency may be more clearly enabled to judge of the true state of affairs in this Province, and to lay the same before his Majesty, I humbly beg leave to state a brief narrative of some transactions here, and which I from time to time have acquainted the Lords of Trade with.

"On the 26th of October, the day of his Majesty's accession, I had ordered a general Muster: and in the evening, a little after night, there was a very great tumult in the streets, and some effigies burnt, and a day or two after several incendiary threatening letters were wrote on which I issued a proclamation as your Excellency will see by the enclosed newspaper. I also issued another proclamation against riots and tumultuous and unlawful assemblies, and from that time the spirit of faction and sedition took place and increased, and those persons who falsely call themselves the Sons of Liberty began to have private cabals and meetings, and I was informed that many had signed an Association to oppose and prevent the distribution of Stamped papers, and the act from taking effect. But it was impossible to come at such proof as would enable me to support any legal proceedings against them, and I found they had determined on attacking the distributor as soon as he arrived, and compelling him to resign or promise not to act, as had been done in the Northern Colonies. I had also been informed that they intended to seize upon and destroy the papers whenever they should come. In the mean time Sir, every argument I could suggest was used to convince them of the rashness of such attempts and the dan-

gerous consequences that must attend them, and every method, both public and private, was pursued by me to bring them to a right way of thinking, and which I frequently thought I had effected, and am sure I should have done but for the inflammatory papers, letters, and messages continually sent to the people here from the Liberty Boys, as they call themselves, in Charlestown, South Carolina, and by whom I am very clear all our disturbances and difficulties have been occasioned.

"And thus matters rested Sir, till the 5th of December when his Majesty's ship *Speedwell* arrived here with the stamped papers on board. I had used every precaution necessary to prevent either papers or officer from falling into the hands of those people, which they were not ignorant of. And when it was known that the *Speedwell* was in the river with the papers, several of the principal inhabitants came to me and gave me the strongest assurances possible that there was then no intention to seize upon or destroy the papers. And they were landed without any appearance of tumult and lodged in the King's store or warehouse under the care of the Commissary. But notwithstanding these assurances with respect to the papers, I still found there was a design against the Officer.

"From the 5th of November everything remained pretty quiet, but I found cabals were frequently held and inflammatory letters sent from Charlestown, and on the 2nd of January, about 3 in the afternoon, I was informed that the Liberty Boys in town had assembled together to the number of about 200 and were gathering fast, and that some of them had declared they were determined to go to the Fort and break open the Store and take out the stamped papers and destroy them; on which I immediately ordered the officers to get their men together, but appearances and threats were such that in three days I had not less than 40 men on duty every night to protect the papers, or I am confident they would have been destroyed.

"On the 3rd of January Mr. Angus, the distributor for this Province, arrived, of which I had the earliest notice in consequence of measures concerted for that purpose, and immediately sent the scout boat with an officer and a party of men to protect him and suffer no body to speak to him, but conduct him safely to my house, which was done the next day at noon when he took the State oaths and oath of office, and I had the papers distributed and lodged in all the different offices relative to the shipping and opening our ports, which had been shut for some time.

But here the people in general have agreed not to apply for any other papers till his Majesty's pleasure be known on the petitions sent from the Colonies. I kept the Officer in my house for a fortnight, after which he went into the Country, to avoid the resentment of the people, for awhile. No pains have been spared in the Northern Colonies to spirit up and inflame the people, and a spirit of faction and sedition was stirred up throughout the Province, and parties of armed men actually assembled themselves together and were preparing to do so in different parts, but by sending expresses with letters to many of the most prudent I had the satisfaction to find that my weight and credit was sufficient to check all commotions and disturbances in the Country at that time, and every thing was quiet again and remained so till a few days ago when some incendiaries from Charlestown came full fraught with sedition and rebellion, and have been about the Country and inflamed the people to such a degree that they were again assembling together in all parts of the Province and, to the number of about 600, were to have come here on yesterday, all armed, and these people as I have been informed, were to have surrounded my house and endeavoured to extort a promise from me that no papers should be issued till his Majesty's pleasure be known on the petitions sent home, and if I did not immediately comply, they were to seize upon and destroy the papers and commit many acts of violence against the persons and property of those gentlemen that have declared themselves friends of Government. On this last alarm I thought it advisable to remove the papers to a place of greater security, and accordingly ordered them to be carried to Fort George on Cockspur Island where they are protected by a Captain, two Subalterns, and fifty private men of the Rangers.

"But I have the satisfaction to inform your Excellency that I have, with the assistance of some well disposed Gentlemen, taken off and got a great many dispersed who were actually on their way down here, but many are still under arms and I can't yet say how the affair will end.

"This Sir, is a wretched situation to be in, and it's clear that further force is necessary to support his Majesty's authority from insults and reduce the people to obedience to the civil power. My task is rendered much more difficult by the people in the next Province going the lengths they have done, and to this day do, and it's said, and I believe it may be true, (although Sir, I will not aver it for a fact), that the Carolinians have offered to

assist the people here with 500 men to prosecute their vile attempts.

"Upon the whole Sir, there is still a possibility of bringing the people to reason and restoring the peace and tranquillity of the Province, on which, your Excellency so justly observes, their welfare and happiness depend. A few days will determine this point, and if not, then, agreeable to your Excellency's letter, I shall write to General Gage and Lord Colvile for assistance. I have only to add that notwithstanding every threat and attempt, your Excellency may be assured I will firmly persevere to the utmost of my power in the faithful discharge of my duty to his Majesty; but really Sir, such of the King's Servants in America as are firm in their opposition to the present seditious spirit have a very uncomfortable time of it.

"The whole military force in this Province, Sir, is two troops of Rangers, consisting in the whole of 120 effective men, which occupy 5 forts or posts in different parts of the Province, and 30 of the Royal Americans, — 20 of them at fort Augusta 150 miles from hence, and 10 at Frederica about the same distance. And on the first appearance of faction and sedition I ordered in some of the Rangers from each post and made up the number here at Savannah 56 privates and 8 officers, with which, and the assistance of such gentlemen as were of a right way of thinking, I have been able in some measure to support his Majesty's authority, but I have been obliged to send two officers and 35 of those men with the papers to Fort George."

On the 7th of February Governor Wright acquaints Secretary Conway with what had further transpired in the colony in relation to the contemplated enforcement of the Stamp Act: —

"On the 2nd inst I had the pleasure to hear of the arrival of his Majesty's ship *Speedwell*, Capt. Fanshawe, who had promised me when he went from hence, after bringing the papers, that he would return again soon. I assure your Excellency he came at a very reasonable time, as by his taking the papers on board the King's ship I was enabled to order up the Officers and Rangers to town, and then mustered 70 Officers and men. Capt. Fanshawe brought his ship up, and several gentlemen and others also promised to join me if the Villains should come into town. For notwithstanding I had been able to dispose of a great number, yet two hundred and forty of them were within 3 miles, and, being much exasperated against me for sending the papers away, agreed to come to me and demand that I would order the papers

to be delivered up to them, and if I did not, they were to shoot me. This Sir, was avowedly declared by some of them; and on Thursday, the 4th instant, they actually had the insolence to appear at the Town Common with their arms and colours, but finding I had near 100 men I could command and depend upon, and being told that many would join me as volunteers, after staying about 3 hours I was informed they differed among themselves and began to disperse, and I have now the great satisfaction to acquaint your Excellency that they are all dispersed; but Sir, some of them declared they were offered the assistance of from 4 to 500 men from Carolina, and if they came, would be ready to return again. If none come from thence I hope to remain quiet. I shall see some of the most dispassionate people and of the most considerable property amongst them, and endeavour to restore the peace of the Province, but even if I succeed in this so far as to obtain promises of submission, yet Sir, some troops will nevertheless be absolutely necessary, for I fear I cannot have entire confidence in the people for some time, and your Excellency sees the insults his Majesty's authority has received, and which I am still liable to. Possibly your Excellency may be surprized that I have not mentioned calling out the militia, but I have too much reason to think I should have armed more against me than for me, and that volunteers were the only people I could have any confidence in or dependence upon."

Led by the fearless Gadsden, the eloquent Rutledge, and the patriotic Lynch, the delegates from South Carolina were the first to respond to the call for an American congress. During its session in New York they gave shape to its deliberations and moulded its conclusions. So potent was their influence at home that upon their return to Charlestown the General Assembly of South Carolina, on the 29th of November, 1765, was moved to the adoption of a series of resolutions entirely in unison with those promulgated by the congress. In them it was declared that his majesty's subjects in the province of Carolina owed the same allegiance to the Crown of Great Britain that was due from his subjects there born; that they were entitled to all the inherent rights and liberties of natural born subjects; that it was inseparably essential to the freedom of a people and the undoubted right of Englishmen that no taxes should be imposed on them but with their own consent given personally or by their representatives; that the people of Carolina from their local circumstances could not be represented in the House of Commons of

Great Britain, and that the several powers of legislation in America were constituted in some measure upon the apprehension of this impracticability; that the only representatives of the people of the province were persons chosen therein by themselves, and that no taxes ever had been or ever could be constitutionally imposed on them but by the legislature of the province; that all supplies to the Crown being the free gifts of the people, it was unreasonable and inconsistent with the principles and spirit of the British constitution for the people of Great Britain to grant to his majesty the property of the people of Carolina; that the trial by jury was the inherent and valuable right of every British subject in the province; that the late act of Parliament entitled "An Act for granting and applying certain stamp duties and other duties of the British Colonies and Plantations in America," etc., by imposing taxes on the inhabitants of Carolina, and other acts by extending the jurisdiction of the courts of admiralty beyond their ancient limits, had a manifest tendency to subvert the rights and liberties of the people of the province; that the duties imposed by several late acts of Parliament on the people of Carolina would prove extremely burthensome and grievous, and, from a scarcity of gold and silver, the payment of them would be absolutely impracticable; that as the profits of the trade of the people of the province ultimately centred in Great Britain to pay for the manufactured articles they were obliged to take from thence, they eventually contributed very largely to all the supplies there granted to the Crown, and that as every individual in South Carolina was as advantageous to Great Britain as if he were a resident there and paid his full proportion of taxes for the support of his majesty's government, it was unreasonable for him to be called upon to pay any additional part of the charges of the general government.

This declaration of rights, disseminated through the public prints, was read everywhere both in Carolina and Georgia, and evoked earnest sympathy from most of the inhabitants on both sides of the Savannah. Because Georgia had not been fully represented in the New York Congress, Carolina was inclined to question her determination to resist, by every means, the enforcement of the Stamp Act. Because Governor Wright was bolder than Governor Bull in his efforts to carry into effect the expressed will of Parliament, Georgia was taunted with being a pensioned government. In the South Carolina "Gazette" of February 11, 1756, it was scurrilously hinted that "her inhab-

itants were looked upon as a fair purchase and therefore to be treated as slaves without ceremony;" that they had been "deluded and bullied out of their rights and privileges;" and that "like Esau of old they had sold their birthright for a mess of pottage." The truth was, the resistance offered by Georgia to the enforcement of the Stamp Act within her borders was much more determined and pronounced than that exhibited by South Carolina, and for the reason that Sir James Wright resolutely upheld the act by every means at command, while Lieutenant-Governor Bull, yielding to pressure, lodged the stamp papers in Fort Johnson and suffered Charlestown to be used as a free port.[1] Certain it is that although Governor Wright, at all times a brave man and loyal to his king, summoned all his energies and exerted his every influence to support the act, so thoroughly was the province of Georgia aroused, and so closely did her inhabitants watch the stamp papers and the officer designated for their issue, that none of them found their way into use. Georgians did not remain passive under those exactions. They resisted with arms in their hands, and triumphed in the contest. Even the gentle, self-poised, and influential James Habersham, president of his majesty's council, confessed openly, "The annual tax raised here for the support of our internal policy is full as much as the inhabitants can bear: and suppose the stamps produce only one eighth of what they would in South Carolina, it would amount to as much in one year as our tax laws will raise in three; and perhaps we have not five thousand pounds in gold and silver come into the Province in five years, though the act requires it in one. If this is really the case, as I believe it is, how must every inhabitant shudder at the thought of the act taking place, which, according to my present apprehension, must inevitably ruin them."

The only stamps issued in Georgia were those employed in clearing between sixty and seventy vessels which were congregated in the port of Savannah fearing to depart without them. The emergency was pressing. Yielding to the urgency of the situation, the citizens consented in this instance, and in this alone, to relax the prohibition they had forcibly placed upon the use of stamp papers and the payment of stamp duties. Violent was the umbrage which South Carolina took at this act. It was resolved in Charlestown that no provisions should be shipped to

[1] See Governor Wright's letter to the Board of Trade, under date Savannah in Georgia, 10th February, 1766.

Georgia, which was denounced as an "infamous Colony;" that "every vessel trading there should be burnt," and that all persons who should traffic with Georgians "should be put to death." These were not idle threats, for two vessels, clearing for Savannah, were captured before they crossed Charlestown bar, were brought back to the city, condemned, and, with their cargoes, were destroyed.[1] Sincerely, however, did the Carolinians repent of this behavior which was unneighborly, lawless, and wholly unjustified by the circumstances of the case. True to the common cause of the colonies, Georgia, in this emergency, was not unmindful of the equities of the moment, and did not, in a whirlwind of passion, lose sight of her better judgment. Overawed by the popular uprising, Governor Bull did not pretend to stem the current, and Carolina achieved a comparatively easy victory. Georgia, on the contrary, prevailed in defiance of an executive who pertinaciously brought every influence and power to bear in behalf of the enactments of Parliament and in direct opposition to the will of the province.

It was at one time reported that the failure of Governor Wright to sustain the provisions of the Stamp Act within the limits of the colony had incurred royal displeasure, and that he was to be removed from office. Eventually, however, he was comforted with the assurance that his conduct was approved of by the king, and that there was "no thought of recalling or superseding him." Perilous and perplexing was his situation. He acquitted himself like a brave man and a faithful servant of his royal master.

Then came the voice of the Great Commoner, speaking like one inspired: "I rejoice that America has resisted. . . . The gentleman asks when were the Colonies emancipated? I desire to know when they were made slaves? . . . In a good cause, on a sound bottom, the force of this country can crush America to atoms. If any idea of renouncing allegiance has existed, it was but a momentary frenzy; and if the case was either probable or possible, I should think of the Atlantic sea as less than a line dividing one country from another. The will of Parliament, properly signified, must forever keep the colonies dependent upon the sovereign kingdom of Great Britain. But on this ground of the Stamp Act, when so many here will think it a crying injustice, I am one who will lift up my hands against it. In such a cause your success would be hazardous. America, if she fell, would

[1] See Stevens' *History of Georgia*, vol. ii. p. 48. Philadelphia. 1859.

fall like the strong man; she would embrace the pillars of the state and pull down the constitution along with her.

"Is this your boasted peace? Not to sheathe the sword in its scabbard but to sheathe it in the bowels of your brothers, the Americans? Will you quarrel with yourselves now the whole house of Bourbon is united against you? The Americans have not acted in all things with prudence and temper. They have been driven to madness by injustice. Will you punish them for the madness you have occasioned? Rather let prudence and temper come first from this side. I will undertake for America that she will follow the example.

"'Be to her faults a little blind;
Be to her virtues very kind.'

"Upon the whole, I will beg leave to tell the house what is really my opinion. It is that the Stamp Act be repealed, absolutely, totally, and immediately; that the reason for the repeal be assigned, because it was founded on an erroneous principle. At the same time let the sovereign authority of this country over the Colonies be asserted in as strong terms as can be devised, and be made to extend to every point of legislation that we may bind their trade, confine their manufactures, and exercise every power whatsoever except that of taking their money out of their pockets without their consent."

The forensic battle waged fiercely in Parliament, and terminated at first unfavorably to the American colonies. Again was it renewed. Grenville moved the enforcement of the Stamp Act. "I shudder at the motion," cried the aged General Howard. "I hope it will not succeed, lest I should be ordered to execute it. Before I would imbrue my hands in the blood of my countrymen who are contending for English liberty, I would, if ordered, draw my sword, but sooner sheathe it in my own body." Benjamin Franklin, summoned to the bar of the House of Commons, declared that America could not pay the stamp tax for want of gold and silver, and for lack of post roads and the means of sending stamps back into the country. "Do you think the people of America would submit to pay the Stamp Duty if it was moderated?" inquired Grenville. "No, never," responded Franklin. "They will never submit to it."

Hobbling into the house on crutches and swathed in flannels, Pitt again pronounced for repeal as due to the liberty of unrepresented subjects who had supported England through three wars. The division came in the gray light of early dawn, and

the roof of St. Stephen's rang with the shouts of the friends of American liberty. Two hundred and seventy-five voted for the repeal of the act, and one hundred and sixty-seven for softening and enforcing it. The joy of the American colonies was universal and unbounded. To Pitt, foremost statesman of England and the apostle of freedom, came a message from across the ocean: "To you grateful America attributes that she is reinstated in her former liberties. . . . America calls you over and over again her father. Live long in health, happiness, and honor. Be it late when you must cease to plead the cause of liberty on earth."

Upon the official announcement in Savannah of the repeal of the Stamp Act, Governor Wright convened the General Assembly, and, when that body was organized on the 16th of July, 1766, addressed both houses thus: "I think myself happy that I have it in my power to congratulate you on this Province having no injuries or damages, either of a public or private nature, with respect to property to compensate, and that you, Gentlemen of the Assembly, have no votes or resolutions injurious to the honor of his Majesty's government, or tending to destroy the legal or constitutional dependency of the Colonies on the Imperial Crown and Parliament of Great Britain to reconsider."

Upon submitting for the information of the assembly a transcript of the statute repealing the Stamp Act, and a copy of the act for securing the just dependency of the colonies on the mother country, he continued: "When you consider the papers I shall now lay before you, I am persuaded your hearts must be filled with the highest veneration and filial gratitude, with a most ardent zeal to declare and express your grateful feelings and acknowledgments, and to make a dutiful and proper return, and show a cheerful obedience to the laws and legislative authority of Great Britain."

To this address the representatives of a province, lately in practical rebellion against the will of Parliament, mildly responded: "We, his Majesty's most dutiful and loyal subjects, beg leave to return your Excellency our sincere thanks for your affectionate speech. Hopeful as we were that no occasion would have offered of calling us together till the usual season of our meeting, yet it is with the highest pleasure and satisfaction, and with hearts overflowing with filial affection and gratitude to our most gracious Sovereign, that we embrace the opportunity now presented to us of expressing our most dutiful acknowledgments to

the best of Kings for his paternal and princely attention and regard manifested to his faithful subjects in these remote parts of his dominions in graciously condescending to lend his royal ear to their supplications and removing from them those evils they lamented. Nor can we sufficiently venerate and admire the magnanimity and justice of the British Parliament in so speedily redressing the grievances by them complained of.

"We cannot indeed but felicitate ourselves in that we have no injuries or damages either of a public or a private nature, nor any votes or resolutions derogatory to the honor of his Majesty's government or tending to destroy the true constitutional dependency of the Colonies on the Imperial Crown and Parliament of Great Britain to reconsider.

"We will immediately proceed to take into our most serious consideration the papers laid before us by your Excellency, and we shall upon all occasions be ready to testify our loyalty to our King and firm attachment to our Mother Country."

Rejoicing in their deliverance from the turmoils which had of late robbed the colony of its wonted repose, and happy in the thought that the province was no longer annoyed by the presence either of stamp papers or of distributing officers, both Houses, on the 22d of July, united in the following address to the king: —

"*Most gracious Sovereign.*

"We your Majesty's loyal subjects, the Council and Commons of your Majesty's Province of Georgia in General Assembly met, beg leave to approach your Royal person with hearts full of the most dutiful affection and gratitude. Influenced by principle, and animated by your Majesty's exemplary justice and paternal care in redressing the grievances of your faithful subjects in these remote parts of your wide extended Empire, with the deepest sense of your Majesty's royal clemency and goodness, we humbly offer to your most sacred Majesty our sincere thanks for the repeal of the late Act of the British Parliament commonly called the American Stamp Act. Nor can we sufficiently admire the magnanimity and justice displayed by the British Parliament on this occasion. Permit us, dread Sire, while we endeavor to express our gratitude to the best of Kings for affording us so speedy and necessary relief, to assure your Majesty that we shall, upon all occasions, strive to evince our loyalty and firm attachment to your Majesty's sacred person and government, being truly sensible of the advantages derived to us from the protection of our Mother Country; and that it is and ever will be our honor, hap-

piness, and true interest to remain connected with and dependent on the Imperial Crown and Parliament of Great Britain upon the solid basis of the British Constitution. That your Majesty's illustrious House may continue to reign over a free, loyal, and grateful people to the latest posterity is, most gracious Sovereign, our constant prayer, unfeigned wish, and our most sanguine hope.

"By order of the Upper House,

JAMES HABERSHAM, *President.*

By order of the Commons House of Assembly,

A. WYLLY, *Speaker.*"

Notwithstanding these protestations of loyalty and this proclamation of abiding devotion to the Crown and its fortunes, a new spirit of liberty was abroad in the land, and thoughts of political freedom already possessed the minds of the people. The sentiment that colonies, separated by a wide ocean from the mother country and united by kindred interests, possessed an inalienable right to fashion and sustain their own institutions without paying tribute to the home government, was fast developing into a cherished principle. Less than ten years afterwards it was asserted with the "consenting thunders of so many cannon that even the lands across the Atlantic were shaken and filled with the long reverberation." The calm consequent upon the repeal of the obnoxious Stamp Act was only temporary. Sir James Wright did not fail to interpret the signs of the times: for, in transmitting to Secretary Conway a copy of the foregoing address, so loyal and even subservient, he intimates that while many Georgians seemed just then to entertain a grateful sense of the "special grace and favours received," and appeared disposed to exhibit a dutiful acquiescence in and obedience to the legislative authority of Great Britain, there were nevertheless not a few who still retained "the late avowed sentiments and strange ideas of liberty," and insisted that no power save representatives of their own choosing could subject them to the payment of internal taxes.

CHAPTER V.

GEORGIA IN 1766. — SILK CULTURE. — GOVERNOR WRIGHT'S REPORT ON THE SUBJECT. — COST OF MAINTAINING THE CIVIL ESTABLISHMENT. — TRADE RELATIONS WITH THE INDIANS RELAXED. — TROUBLES WITH THE CREEKS. — STRENGTH OF THE ADJACENT INDIAN NATIONS. — BOUNDARY LINES. — CONFERENCE BETWEEN THE COLONIAL AUTHORITIES AND THE CREEKS, AT SAVANNAH, ON THE 3D OF SEPTEMBER, 1768. — TALKS OF EMISTESEEGOE AND GOVERNOR WRIGHT.

IN a communication addressed to the Earl of Shelburne, and dated at Savannah on the 19th of November, 1766, Governor Wright thus contrasts the condition of the province with its status when he assumed the reins of government: —

"On Governor Ellis' departure from hence on the 2nd of November, 1760, I took upon me the government of this Province and, at that time, my Lord, from the returns of the Militia Officers and the best information I could get, the whole number of white people throughout the Province, men, women, and children, amounted only to 6000, and I had afterwards reason to think there were not so many: of which number there were about 60 men belonging to his Majesty's Independent Companies, and two Troops of Rangers consisting of 5 Officers and 70 Private men, and the Foot Militia amounted to 1025; and now my Lord, by a very careful inquiry from every part of the Province, the white people amount to 9900 or say 10,000 of which 1800 are effective militia. We have still the 2 Troops of Rangers, but the Independents are broke, and we have only 30 Royal Americans.

"When I came, the return made me of Negroes in the Province amounted to 3578, but which I soon found greatly exceeded the real number then in the Province, and now my Lord, we have at least 7800.

"In 1760 they exported, as appears by the Custom House Books, only 3400 lbs. of rice, and in 1765, though a short crop, 10,235 lbs. In the year 1761 we loaded only 42 sail of sea vessels, and the last year we loaded 153, and on an average of much greater burthen. Our crop of rice this year will be short for the

quantity planted, owing to the excessive rains and inundations that we had in the spring and fore part of the year.

"The Royal Americans and Rangers here, my Lord, garrison and do duty at 7 different places, vizt, 20 of the Royal Americans at Fort Augusta about 150 miles by land up this River, also 30 of the Rangers in the town of Augusta, — the other 10 Royal Americans are at Frederica, about 80 miles South of this town; 25 Rangers at Fort Barrington, on the Alatamaha River, about 65 miles from hence; 15 at Fort Argyle, on Ogechee River, 20 miles from town; 19 at Fort George, near the entrance of this River, and the rest here at Savannah; so that your Lordship sees how they are scattered about, but I conceive it to be the most useful manner in which such an handful of men can be employed here.

"We have no manufactures of the least consequence, a trifling quantity of coarse home-spun cloth, woollen and cotton mixed, amongst the poorer sort of people for their own use, a few cotton and yarn stockings, shoes for our negroes, and some occasional black-smith's work. But all our supplies of silks, linens, woollens, shoes, stockings, nails, locks, hinges, and tools of every sort, &c, &c, &c, are all imported from and through Great Britain.

"We have no kind of illicit trade carried on here, and our whole strength and attention is employed in planting rice, indico, corn and pease, and a small quantity of wheat and rye, and in making pitch, tar, turpentine, shingles and staves, and sawing lumber and scantling, and boards of every kind, and in raising stocks of cattle, mules, horses, and hogs, and next year I hope some essays will be made towards planting and making hemp, and everything here, my Lord, is going on extremely well, and the people in general well disposed except some few Republican spirits who endeavour to inculcate independency and keep up jealousies and ill blood. . . .

"The spirit that prevailed here, and our transactions with respect to the Stamp Act, your Lordship may see by my letters to Mr. Secretary Conway. Amazing to think what a propensity to faction, sedition, and almost rebellion then appeared even in this infant Colony, although I must do them the justice to say they did not think of it till spirited on by our Northern Neighbours who never let them rest, or gave them time to cool."

Even with the encouragement extended by the home government, silk culture in Georgia continued to prove unprofitable.

The Filature in Savannah, although still open, did not yield any income or justify the expenditures requisite for its maintenance. Joseph Ottolenghe, manager of that establishment, from year to year promised more satisfactory results, but annually those promises, from some cause or other, failed of fulfillment. The specimens of reeled silk sent to England were pronounced good, but the quantity was insignificant; and, at the end of each twelvemonth, the cocoons appeared subject to more numerous and disheartening mishaps. Loath were the authorities to abandon an industry from which so much profit had been anticipated, but it is due to history to affirm that the experiment with the silk-worm in Georgia had long proved a failure. Governor Wright [1] explained the difficulties of the situation, demonstrated the fact that only a bounty could incite to further activity, proved that other products were more worthy the attention of the colonists, and, while advancing suggestions in aid of the industry, questioned the expediency of additional expenditures in its behalf. An experience of more than thirty years inculcated the lesson that expectations of emolument to be derived from silk culture in Georgia were vain. Then and thenceforward all efforts expended in the production of that article were spasmodic and devoid of remuneration.

In the following letter, addressed to the Earl of Hillsborough, and dated "Savannah, July 1st, 1768," Governor Wright explains fully the status of that industry: —

"My Lord, I am now to answer that part of your Lordship's letter, No. 3, which relates to the encouragement given to the culture of raw silk, and I shall briefly state the footing it is upon at present. The plan of encouragement hitherto pursued, my Lord, has been for the Government to be the manufacturer and the merchant. The cocoons were for many years purchased at 3*s.* per pound. At length the price was reduced to 2*s.* 3*d.*, and for two years past and this year they are purchased at 1*s.* 6*d.* per lb., and the whole expense of baking, sorting, picking, reeling, &c. is paid by the Government, and the silk shipped home to be disposed of on account of the Government; and the accounts and vouchers duly transmitted to the Board of Trade, and your Lordship sees that the bounty or encouragement the persons have who raise the cocoons or pursue the object of making silk is the certainty of a market, and good and immediate payment at the rate of 1*s.* 6*d.* per lb. for all the cocoons they deliver in the public

[1] See his long letter to the Board of Trade, under date Savannah, Oct. 21, 1766.

Filature: whereas the true and real value of a lb. of cocoons, as a commodity or article of Merchandize is at the most not more than one shilling even in countries where labour is cheap, and I understand they are often purchased there at 6*d.* to 9*d.*, and here it is rather thought they cannot be worth above 9*d.* or 10*d.*, so that their advantage is an advanced price or bounty of 8*d.* or 9*d.* per pound above the true or real value of the cocoons, and down at this price I am persuaded few or none but the very poorer sort of people will continue to go upon that article.

"Several substantial persons, who did mean to make it an object when the price was higher, have to my knowledge given it over. The reason my Lord is evident: for people who have their fortunes to raise or make, will always turn themselves in such way and to the raising or making of such commodities as they think will answer best, and it is very clear to me that those who have negroes may employ themselves and their negroes to better advantage by planting, &c. &c. &c. than by raising cocoons at 1*s.* 6*d.* per lb., although that is, as I have said, 7*d.*, 8*d.*, or 9*d.* more than they are intrinsically worth as a commodity purchased at market, and therefore people of property or that have negroes will not consider silk as an object worth their pursuit, and it is only the poorer sort of people who will continue to go upon it. There are certainly some discouraging objections, viz; the climate, or variable and uncertain weather in the spring, makes it precarious; and the expence of living is an objection. Labour is very dear, and there is a nett difference between paying 18*d.* or 2*s.* per day for labouring people or 2*d.* or 3*d.* a day which, I believe, is the price of labour in several of the silk countries. And really my Lord, till these Provinces become more populous, and labour is cheaper, I apprehend silk will not be a commodity or article of any considerable amount. . . .

"The worms degenerate greatly my Lord, for it generally takes from 15 to 17, 18, or sometimes 19 lb. of cocoons to make a lb. of silk according to the strength and goodness of the cocoons, whereas when the seed is fresh, and the worms in full vigour, for a few years 11 or 12 lb. of picked cocoons may make a lb. of silk, and this your Lordship sees is a prodigious difference, and I really believe they might succeed better at a greater distance from the seacoast as the weather is generally more steady and the spring backward.

"That your Lordship may, at one view, the better judge of the progress, I now inclose an account for 13 years together, and

having wrote frequently to the Lords of Trade on this subject, I would beg leave for further particulars and a more circumstantial account to refer to my letters to the Lords of Trade of the 23rd of April 1765, and 24th of June, and 21st of October 1766; and upon the whole shall only beg leave to observe that I cannot point out or recommend any new or other mode of encouragement than I have already mentioned: that it is the encouragement of bounty alone that keeps it alive at present: that as the country settles and becomes more populous and labour cheap, it may increase, but I conceive that without this bounty or price is continued, few or none will raise any, for it won't answer for private persons to give more than from 10*d.* to 12*d.* per lb. for cocoons as a commodity.

"Some few indeed may raise the cocoons and reel off the silk themselves; and give me leave my Lord, further to observe, that it employs some hands at home; that the money never comes out of England, it all remains and is paid to the merchant there for goods sent out here: that it employs a great many poor people here. The cocoons last year were sent to the Filature by 160 different people, and this year by 137. It also employs near 40 hands, all poor people, for between 3 & 4 months to sort, pick, and reel it. That it is their chief support and they will really suffer greatly when they lose it; that articles of remittance are difficult in a young country, and it 's of great use to the mercantile part of the Province that way. That last year the silk was valued at £600 sterling and might have sold for much more, and certificates were given for £1101 16*s.* 8*d.*: so that if the silk was worth no more than £600, yet the difference or loss to the Government was but £501 16*s.* 8*d.*: which I conceive to be such a mere trifle that it can be no object with your Lordship as a saving to Government, especially when it is considered that there is the greatest probability that by a discontinuance of the encouragement the pursuit of that commodity will be totally given over, lost, and gone. I cannot deceive your Lordship in any particular, and therefore have not to add more on the subject, but to request that if it is your Lordship's opinion the grant should be discontinued, I may have the earliest notice of it that I may acquaint the people with it: for, my Lord, if it is not notified to them in time, say by January, they will go on in the usual manner, and if they deliver in their cocoons at the Filature they will certainly expect I should see them paid the usual price.

"In 1755,	5,458 lbs.	of cocoons	made	438 lbs.	of silk.	
1756,	3,667 "	"	"	268 "	"	
1757,	4,994 "	"	"	358 "	"	
1758,	burnt		"	358 "	"	
1759,	10,136 "	"	"	734 "	"	
1760,	7,983 "	"	"	839 "	"	
1761,	5,307 "	"	"	332 "	"	
1762,	15,186 "	"	"	1,047 "	"	
1763,	15,486 "	"	"	953 "	"	
1764,	15,212 "	"	"	898 "	"	
1765,	12,514 "	"	"	712 "	8 ozs. "	
1766,	20,350 "	"	"	1,084 "	4 " "	
1767,	10,768 "	"	"	671 "	9 " "	"

A killing frost on the 19th and 20th of April, 1769, and a reduction of the bounty previously offered by Parliament, materially diminished the production of silk in the province. The inhabitants of Ebenezer were the last to abandon this industry. In 1772 the operations at Savannah were wholly suspended, and two years after the Filature, which was in a ruinous condition, was repaired and used as an assembly room. Societies there held their meetings, and occasionally divine service was conducted within its walls. In consideration of his long and faithful labors, Ottolenghe, still styling himself "Superintendent of Silk Culture in Georgia," was complimented with a pension of £100.

The following was, at this time, the annual cost of maintaining the civil establishment of his majesty's province of Georgia: —

The Salary of the Governor	£1,000
" " Chief Justice	500
" " Secretary of the Province	100
" " Clerk of the Assembly	20
" " Surveyor General	150
" " Receiver General of Quit Rents	100
" " Attorney General	150
" " Provost Marshal	100
Allowance for 2 Ministers of the Church of England and 2 Schoolmasters	116
Salary of the Agent for the Affairs of the Colony	200
" " Pilot, with Expenses of the Boat, etc.	500
Allowance for the Encouragement of Silk Culture	100
	£3,036

The rules promulgated by Governor Wright soon after the Congress of Augusta, regulating the conduct, duties, and responsibilities of Indian traders, proved salutary both to the colonists and to the red nations. As long as these traders were known to,

and were specially licensed by, the governors of colonies to traffic within prescribed territories; as long as they were held to strict personal accountability and were required to submit annual returns of their transactions; as long as they were prevented from extending credit to the Indians and were forbidden to deal in articles likely to cause dissensions, so long was quiet maintained and good order observed. When the king saw fit, however, to open wide the doors and to remove the wholesome restrictions placed upon general traffic with the natives, multitudes of irresponsible parties flocked in; the Indian territory was traversed by traders not well approved; the region was overstocked with goods; credits were enlarged; the Indians fell deeper and deeper in debt to unscrupulous merchants; and thus it came to pass that the peaceful status of affairs was interrupted and the seeds of dissension were sown. In an earnest and most sensible way did the governor of Georgia enter his protest against the royal proclamation of the 7th of October, 1763, which was the prime cause of the troubles then brewing.[1] Fortunately no wide-spread disturbances occurred, although quarrels ensued from time to time; some involving trespass upon the lands reserved by the Indians; others, the theft of horses and cattle; and others still, blows, ambuscades, and murder. In 1767 depredations were committed by a party of Creek Indians, who had lately formed a settlement on the Oconee River, upon the plantations on Little River. Some horses were captured. Pursued by five of the inhabitants, the Indians fled until they regained their homes where, reinforced by their companions, they turned upon their assailants and compelled them to beat a hasty retreat. This was not the first time the Creeks had invaded this region and plundered its plantations. Responding to the emergency, Governor Wright, on the 24th of August, prepared a talk to the Creek nation in which he demanded the return of the stolen animals, insisted upon a recall of the marauding bands, and cautioned an observance of the boundary-line stipulations as agreed upon by the Augusta Congress. The town of Augusta now contained some eighty houses, a church, and two wooden forts.[2] Plantations were multiplying to the north as far as Little River.

The same year, at Jerre Wilder's settlement, about twenty miles above the ferry on St. Mary's River, a party of thirteen

[1] See communication of Governor Wright to the Earl of Shelburne, dated the 24th of December, 1766.

[2] See *Gentleman's Magazine* for 1767, p. 167.

Indians killed Baker and Cummins, and wounded Wilder. They then set fire to the premises of the latter and retreated into East Florida. This deed of violence was committed by the Indians in retaliation for an injury inflicted upon them in the spring. A horse or two had been lost, and the whites, believing they had been stolen, assembled in force and proceeded into the Indian country. Coming upon a party of Indians having a horse in their possession, and being superior to them in numbers, the whites tied them up and flogged them most unmercifully. It was in revenge for this indignity that the Indians on the 18th of September, 1767, committed the murder on the St. Mary's River.

It is scarcely necessary to enumerate all occurrences of like character, as they were insignificant, did not provoke other than partial strife, and hardly appertain to the domain of general history. That Governor Wright earnestly strove to maintain the rights both of the colonists and of the Indians, that he omitted no opportunity to redress any wrongs perpetrated, and that he endeavored to hold European and savage to a becoming observance of existing treaties is amply attested by the records of the period. We still have copies of his *talks* to the Wolf-King, to the head men of Coweta, to Captain Alleck, to Emisteseegoe, to the head men of the Lower Creeks, to Attakullakulla, to the chiefs of the Cherokees, and to other noted Indians, and they are model documents of their sort. The replies of the Indians have also been preserved.

Governor Wright's conduct in regulating the intercourse between the colonists and the Indians cannot be too highly commended. He did not idly boast when he assured the Earl of Shelburne that he had "always taken the utmost care to observe every treaty and engagement with the Indians," and that he had "on all occasions done them full and ample justice."[1]

A disagreement having arisen with regard to the boundary line between the English settlements in Georgia and the lands and hunting-grounds of the Creeks, his excellency and Captain Alleck (the latter representing the Creek confederacy) on the 10th of January, 1766, consented that the dividing line should "commence at the Ogeechee river where the lower trading path leading from Mount Pleasant on Savannah river to the Lower Creek Nation crosses the said river Ogeechee, and thence in a

[1] See letter to the Earl of Shelburne, dated Savannah in Georgia, 5th of January, 1767.

straight line cross the country to that part of the river Alatamaha opposite to the entrance or mouth of a certain Creek on the south side of the said river Alatamaha commonly called Fenhollow or Turkey Creek, and that the line should be thence continued from the mouth of the said Creek across the Country and in a southwest course to the St. Mary's river, so as to reach it as far up as the tide flows or swells."

Of the warlike strength of the Indian nations lying adjacent to and holding commerce with Georgia, the following estimate was submitted by Governor Wright to the Earl of Hillsborough on the 5th of October, 1768: —

Upper and Lower Creeks	3,400	gun	men.
Chactaws	2,200	"	"
Chickesas	400	"	"
Cherokees	2,000	"	"
Catawbas	40	"	"
Total	8,040	"	"

In this number are not included those whose trade was more conveniently carried on with South Carolina and with East and West Florida.

When we remember the defenseless condition of the province and its unguarded frontier, and recall the fact that the Indian territory was frequented by traders, many of whom were supercilious, dishonest, and tyrannical, we are astonished that these primitive peoples exhibited such tolerance towards a race which was surely supplanting them in the occupancy of their native wilds.

As illustrating the general character of the interviews which Governor Wright was frequently called upon to have with the Indians, and as designating the boundary lines which separated the English possessions from the territory reserved by the Creeks, we incorporate the minutes of a convention held in the council chamber in Savannah on Saturday the 3d day of September, 1768. On the part of the English, his excellency James Wright, and members of council James Habersham, Noble Jones, James Mackay, Grey Elliott, and James Read, were present. Lachlan McGillivray acted as interpreter. The Indians were led by Emisteseegoe, the most noted and influential head man of the Creek confederacy.

Informed that his excellency and his beloved men were prepared to hear all that he desired to say, Emisteseegoe responded

that whatever men might propose it rested with Providence to perfect it; that originally all the lands belonged to the Indians, but that in process of time they became acquainted with the white people whom he was this day glad to see and to accost as brothers; that these lands having originally been the inheritance of the red men they were bound to regard them as such, although they were prepared, come what might, to pay due regard to the treaties they had entered into with the whites concerning them; that they looked upon the road between the Europeans and themselves as a white road, free from bushes, stains, and all other impediments; that he hoped it would always thus remain, and that in this confidence he had just passed over it; that should any impediment hereafter arise, he trusted it would prove nothing more serious than the breath of the wind could remove, and that the whiteness of the road itself would remained unspotted; that such was the hope of his fathers; that this was what the former treaties were intended to secure; that the white people, being skilled in maritime affairs, discovered many countries, — this among others, — of which the Indians had no knowledge; that they came here and builded a fire and the red men received them as brethren and sat with them at the fire they had kindled; that the Indians' mode of traveling differed from that adopted by the English; that the length of the journey was never regarded by them when they wished to see their friends, hence they had come a long distance to meet the governor and his beloved men; that he wished to behold the white people on the coast, being persuaded that intercourse like the present would perpetuate the remembrance of existing treaties; that he had visited the governor at Pensacola and now waited upon the governor of Georgia; that as he looked upon the white people at Pensacola and in Savannah as one, he would always use his best endeavors to keep the road between them white, and to treat them all as brothers; that the superintendent had told him the great king over the water looked upon the red people as his children, therefore he had taken him by the hand and held him fast; that although they had no iron in their country, yet, as a vine twines itself around a young tree and attaches itself by many fibres so that it cannot be separated from it but grows up with it, so he intended to cling to his white friends; that the governor of Pensacola told him the English had borrowed of the Indians a piece of ground near the water which he wished to have enlarged; that although the gratification of this request was attended with difficulty, he

succeeded in securing the sanction of the Creeks to the cession; that he hoped the boundary line there established would be observed by the present and the coming generations; that the governor of Pensacola assured him if any of his people should inadvertently settle beyond the line he would immediately cause their removal; that in coming to Savannah he had not observed a guard, [illegible] settlements made by the whites beyond the boundary line separating the Indian nation from this province; . . . that the superintendent informed him he was instructed by the great king to preserve peace not only between the English and the Indians, but also, as far as possible, between the Indians themselves, and that he was sorry to see the Creeks and the Chactaws at war with each other; that the superintendent requested him to exert his influence to dispose his own people toward the re-establishment of peace, and that he would persuade the Chactaws to discontinue their acts of hostility; that acting upon the advice of the superintendent who, the Creeks were convinced, had their good at heart, he had inaugurated measures which he believed would eventuate in a settlement of all disputes; that the superintendent had gone to Mobile to pacify the Chactaws; that he was informed by the superintendent he intended to spend some time in Mobile, and that he desired permission of the Creeks to drive some cattle through their territory to Mobile for the use both of the white people there and of the Indians in that vicinity; that the superintendent further told him some persons about Augusta might wish to drive some cattle through the Creek lands to the same place, but his desire was that they should not be permitted to do so until his cattle had gone before; that this request appeared to him very peculiar, and he begged to be informed why the superintendent preferred it; that he understood a gang of cattle belonging to Mr. Galphin had been recently driven through the Indian lands to West Florida, and he wished to learn whether this had been done with the sanction of the governor of that province, or whether Mr. Galphin had acted in the matter on his own motion; that he remembers at the grand Congress at Augusta, where the governors of Virginia, North and South Carolina, and Georgia, many of the head men of the Creek and other Indian nations, and some beloved white men met, a boundary line was established to prevent straggling white people from settling in the Indian country; that with the settlement of that boundary line his people were well pleased; that he has since heard a piece of ground had been occu-

pied by the whites beyond that line, and if the report be true he desired to know who among the Indians had consented to the appropriation; that he was apprehensive some error must have been committed in marking this line, as he could find no one who was present at the running of it or who could give him any definite account of it; that he was afraid the surveyers had lost themselves in the woods, that they had run a crooked line, and hence the squabbling about it; and finally, he understood St. Jago was accused of forming his settlement on the Georgia side of the line, and that he had been notified to remove. This he regarded as a great hardship, as St. Jago was one of the principal men in the Creek nation, and the Indians had acted with great liberality in ceding their lands to the whites. He asked definite information on this subject.

Governor Wright's response was couched in the following language: —

"*Friend and Brother Emisteseegoe.*

"Your observation on the omnipotence of the Great Governor and Master of Breath is very just, for let men propose to themselves what they will, yet 't is subject to the overruling power of Providence, and without the Almighty's permission cannot be perfected. It is also very true that this Country, these very lands that we are now upon, were inhabited by the Red people and did belong to them before the English discovered them and landed here. That this event of the White people coming here may also be considered as owing to the good Providence of God, for the Red people being unacquainted with and unskilled in arts and sciences, were under great difficulties in clothing themselves and had no ornaments for their women or themselves, or any arms to kill deer, or to go to war against their enemies, or to defend themselves with, but only bows and arrows. But since the White people came amongst them they have been well clothed and gratified with a number of ornaments for their bodies and otherwise, and also taught the use of guns, powder, and ball, and have been plentifully supplied with them, which has enabled them to kill greater quantities of deer and to go to war with more success, and therefore the White peoples' coming to this country has always been considered by the Red people as a fortunate event.

"That 't is very true that when they became a little acquainted together they agreed to live as brothers upon one land and to sit at one fire: and treaties were accordingly made be-

tween them, and the land on the sea coast for a certain distance back was given by the Indians to the White people to live and plant upon. That the road between the White people and the Red was opened and agreed upon by them for the mutual advantage and convenience of both in order to carry on their trade and friendly intercourse, and that it always has been and still is the wish and desire, and for the benefit of both, that this road should continue and be kept perfectly clean, white, and unstained, and I hope, as you do, that it will always remain so, and that if, by accident, any little matter should happen that may carry an appearance of obstructing or staining that road, it will prove no more than what the blowing of the wind will remove: and that all our treaties, as well those made by our forefathers as ourselves, will be duly regarded and observed on both sides.

"It will be eight years next month since I came Governor of this Province, during which time I have constantly and to the utmost of my power observed all the treaties and agreements that were made before I came, and all treaties, agreements or promises that I have at any time made with any of the Red People since I came, and this I am very certain all your people that know me, or that are acquainted with our transactions, will say and allow.

"It 's possible that some straggling vagrants or vagabonds may have broke through treaties and orders, or may hereafter do so, but such things, if done, have been, and if hereafter done, will be unknown to me: and it is next to impossible to come at or punish such wandering people who, the moment they commit such an injury or offence, fly away to another Province: but you may be assured that I and the beloved men now present, and all the good people of this Province are friends to the Red people. And I have received orders from the Great King to live in peace and friendship with you and to treat you as his children: and as such I now look upon you and receive you: and the length of the Journey you have taken to come and see me is a strong circumstance and sign of your friendly disposition and good will to the White people, and as such we all look upon it and will endeavour, if possible, to strengthen the link, vine, or chain of friendship that holds us together.

"I have heard of the friendly visit you paid to the Governor of West Florida and of the cession of lands you made to the great King in that part of the Country, and which gave me great satis-

faction. As all the White people, live where they will, as you justly observe, are one and the same people, they are all the great King's children, and are in some measure interested in the welfare of one another: and I doubt not but the Governor of West Florida will duly observe the limits and boundary settled and agreed upon with you.

"I do not know that I have ever transacted any matters of real business with any Indians but such as were fully and properly authorized by the Head Men in general, well knowing that it would answer no good end or purpose: and that a few people unauthorized could have no right or pretence to negotiate or settle any matters of consequence between the White and Red people: and that consequently instead of proving of any benefit or advantage, it would be attended with difficulties and inconveniencies.

"With respect to the Superintendent's conversation with you relative to your disputes or war with the Chickasaws and Chactaws, it is a matter that he did not consult me upon: but whatever my Friends may look upon as for their advantage and happiness, will always give me pleasure. And with respect to the Superintendent's ordering Cattle to be drove to Pensacola, I know nothing of it, nor can I positively say what was his reason for desiring that no other Cattle might be allowed to be drove through your Country to Pensacola till his were first carried thither: unless, as he knew that there was a great scarcity of cattle there, he thought if private persons who might drive cattle there for mere lucre should get there first, they would impose upon the people, take advantage of their necessity, and make them pay an extravagant price for them. Whereas, if his cattle got there first, he and his friends would be supplied at a moderate price, and not be obliged to purchase at an extravagant rate from those who might carry cattle there in the way of trade.

"I know nothing of Mr. Galphin's driving any cattle through your country to West Florida: but presume the Governor of that Province might be in want of cattle and purchase them from Mr. Galphin in this Province, but to be delivered at Pensacola: or Mr. Galphin, who is a general trader, might send them there in the way of trade, and expecting to get a good price for them as they have not as yet got many stocks of cattle in that country.

"I very well remember the Congress at Augusta in November 1763, at which I presided, and had the pleasure of seeing you:

and I cannot forget the several matters that were settled and agreed upon at that Congress, because the whole was then reduced to writing and signed by all the Governors and the Superintendent, and also by the Head Men of the Indians then present, and which I have now here in print: and by which it was agreed that, to prevent mistakes, doubts, and disputes for the future, the boundary between the English settlements and the lands and hunting grounds of the Indians should be known and settled by a line extending up Savannah river to Little river and back to the fork of Little river, and from the fork of Little river to the end of the south branch of Briar Creek, and down that branch to the Lower Creek path, and along the Lower Creek path to the main stream of Ogechee river, and down the main stream of that river just below the path leading from Mount Pleasant, and from thence in a straight line cross to Sancta Sevilla on the Alatamaha river, and from thence to the Southward as far as Georgia extends or may be extended: to remain to be regulated agreeable to former treaties. And his Majesty having since settled the boundary between this Province and East Florida to be the river St. Mary, at a Congress held at Picolata in the Province of East Florida by Governor Grant and the Superintendent with a number of Indians on the 18th of November 1765, all the Head Men then present empowered Captain Alleck to settle a new lower line cross from Ogeechee to the Alatamaha, and from thence to St. Mary's. And accordingly Captain Alleck came here and, in January 1766, the line was settled and agreed as follows vizt: that for the future the boundary line between the English settlements in this Province and the hunting grounds of the Creek Indians shall be known and settled by a line from that part of Great Ogeechee river where the Lower Trading path leading from Mount Pleasant on Savannah river to the Lower Creek Nation crosses the said river Ogeechee in a straight line cross the country to that part of the river Alatamaha opposite to Penholloway or Turkey Creek, and that a line shall be continued from the said Creek cross the country to the river St. Mary, on a south-west course, which it is supposed will extend as far up the said river as the tide flows or swells. And I sent up a copy of this Agreement by Captain Alleck that he might shew it to the Head Men, and I received an answer that it was right: and this I look upon, and shall strictly observe and regard as the boundary line between us. And I want no more lands of the Indians, but am very well satisfied

with what we have, and I don't believe that there is a single settlement or hut above this line.

"It has frequently been reported by Indians that the White people had settled over the line, but on my sending to examine, I was always informed by the people I sent that it was not true. However, in order to prevent mistakes, and that every body both White and Red might know where the line is, where there is no river or natural landmark, I sent a talk about a year and a half ago desiring that the Red people would send down such persons as they thought proper to see the trees marked. And accordingly the beginning of June last the Coweta Lieutenant, Selechee, the Blue Salt, and some others were sent down to see it done. And Mr. Galphin and Mr. Barnard with a surveyor and some other white people went up Little river, and as I have since been informed, both by them and the above Indians who all came down to me, they did mark the line cross from Little river to Great Ogeechee to the satisfaction of both the White people and the Indians that were present, and it has also been marked from the Lower Trading Path aforesaid to Ogeechee cross to Coonochee river where, some mistake happening, they stopped and proceeded no further but went home: upon which I sent up a talk and have received an answer that they will send down some of their principal Head Men the latter end of this month to see it finished: and I have since proposed to them by another talk that it should be entirely finished cross from Coonochee to the river S^{t} Mary which is the boundary between this Province and East Florida: and have sent them a sketch of the line as I understand it is to be marked, that they may know everything clearly before they come down.

"And there being two very large Goose Ponds above the place where by the treaty the line should run, and as those ponds on account of the grass and water will be very useful to the White people for their Cattle, therefore I have proposed and submitted to the Indians whether, on account of the Cattle always getting water in the Goose Ponds they will agree to vary the line a little, as marked upon the paper sent them, and now shewn to you, so as just to take in those ponds. And the trifle of land that will be taken in by the proposed alteration is not fit to plant or worth one shilling but on account of the grass and water as I have mentioned, it being all low, good-for-nothing pine barren.

"And with respect to your apprehension of some error in the upper line cross from Little river to Ogechee, as you cannot find

any body who can give you a tolerable account of it, and therefore suppose they had lost themselves in the woods or else they would have run a straight course, and not have traversed as you suppose they did, I will give you the fullest satisfaction and explanation about it that it is in my power to do, and shall acquaint you with the whole matter as far as I know. On my being informed that the Indians would be down by the beginning of June to see the line marked, I wrote to Mr. Galphin, whom I knew the Indians were well acquainted with, and who was their friend, and also to Mr. Barnard of Augusta, whom many of you likewise know, and desired them, when the Indians should come, to meet them and see that they were well taken care of, and then to join them and Mr. Mackintosh, the Superintendent's deputy, and proceed to the fork of Little river and mark the line cross from thence to Ogechee river agreeable to the treaty of Augusta, and gave them particular instructions to be careful not to have any difference or dispute with the Indians, and that if the line could not be run exactly agreeable to the words of the treaty, then to get it done as nearly to it as they could. And those gentlemen, after the business was over and finished, wrote me that the Indians had entertained a different notion or idea of the fork of Little river from what we did: for they supposed the fork to be at a place called Upton's Creek, but on the matter being talked over amongst them and explained, they were satisfied of the mistake, and that Upton's Creek was not the fork, and therefore proceeded further up the river, but at length stopt at a Creek called Williams's Creek, about six miles below the real fork, and insisted on the line beginning there and being marked cross from that place to Ogechee river which, to avoid disputes, they agreed to according to my directions. That they proceeded up that creek as the line for about six or seven miles till they came to an old hunting path, and then, at the request of the Indians, they marked the line along that hunting path till they came to the main branch of Upton's Creek, and then followed Upton's Creek as the line till they came near to the end of the south branch of Briar Creek, and then turned down that branch of Briar Creek till they came to the Lower Creek path, and then followed that path to the main stream of Ogeechee exactly agreeable to the treaty of Augusta. So that the whole appears to me to be agreeable to that treaty except our beginning to mark the line from Little river six or seven miles below or short of the real fork of Little river: and which is rather against us than in

favor of us, as I shall shew by the surveyor's draught of the lines. And I do not know of any Indian or Indians that have taken upon them to give up any lands to the White people other than agreeable to the treaty, nor would I accept of any but from the nation, and this you may clearly see by my applying to the nation to consent to take in that trifling piece of good-for-nothing pine-barren, the Goose Ponds. And you must now see that agreeable to the treaty it was impossible to run a straight line from the fork of Little river to Ogechee; for, by the express words of that treaty, it appears that there were to be several bends and turnings in it as thereby described: and you now see by the plot, and as the line is now marked, there are natural land marks of creeks and paths the whole way. And all of it from Upton's Creek to the Great Ogechee river is expressly agreeable to the treaty. But that part of the line from Little river to Upton's Creek could not be exactly agreeable to the treaty because the Indians insisted on beginning six or seven miles below and before they came to the real fork, and which is a circumstance rather in favor of the Indians than the White people as you see by the plot. But, however, I am perfectly satisfied with the line as it is marked. I want no more, and shall do everything in my power that it may be observed, agreeable to your own expression, as a great stone wall: and that not a tree shall be cut down above or beyond it.

"And with respect to what you mention about St. Jago's settlement, you are greatly mistaken in your idea of the geography of that part of this Province, for his settlement is almost in the middle of our settlements and a great many miles within or below the line from Ogechee as settled and agreed by the treaty of Augusta. And St. Jago knows very well that about two months ago, on his telling me that somebody claimed the land he is settled upon, I gave him a paper signifying that he had my leave to live there, and was to remain there undisturbed. However, I shall inquire whether that land is within any of the White people's grants, and if I find it to be so, I will take care that it shall be secured to St. Jago."

His excellency having concluded, and Emisteseegoe being advised, through Mr. McGillivray, that if he desired to add anything to what he had already said the governor and council were prepared to lend a willing ear, that Indian chief replied: he was greatly disappointed in not meeting Mr. Stewart and Mr. Mackintosh here, as he had expected; that he had conferred on sev-

eral occasions with the superintendent and his deputy; that the Creek nation always treated with great respect all talks which his excellency sent up, but in his judgment there was not like regard paid by the whites to the suggestions and complaints of the Indians; that there appeared to be something wanting on the part of the white people; that this was the great town of the province, and he was come hither to be resolved of several things concerning which he was in doubt; that notwithstanding the respect entertained by the Indians for the talks and letters of the governor and superintendent, the white people trading among them were the first to ridicule and disregard the regulations promulgated for their observance; that although it was ordered and settled, and the traders were instructed that no raw skins should be received from the Indians, that injunction was violated day by day, and this in the teeth of remonstrances made to the deputy superintendent; that although the importation of spirituous liquors within the limits of the Indian nation was limited to a specified number of kegs, the restriction was not adhered to, but the amount brought in was constantly increased; that there were too many traders among the Indians, and that they had introduced more goods than they could possibly purchase and pay for; that great mischief ensued, the Indians being often persuaded to sell their horses for strong drink, and to barter their skins for rum when they should have been exchanged for clothing; that Indians were frequently employed as factors by the traders, — a hurtful and improper measure because they were unacquainted with English laws and were not liable to their penalties; that complaint had been lodged with the superintendent who promised to redress their wrongs, but, instead of these mischiefs, abuses, and inconveniences being abated, the evils complained of remained as flagrant as ever; that in order to prevent discovery the Indians employed as factors by the traders were instructed to respond, when interrogated with regard to the goods in their possession, that they belonged to them and that they had purchased them for themselves; that at the Congress Sempiaffe complained of certain traders who went about in the woods clandestinely trafficking with the Indians for raw skins, and injuring the trade of the licensed dealers; he desired that the grievance should be suppressed, and stated, for his part, if he met with any of these lawless traders in future he would regard them as French and Spaniards, and treat them accordingly; that it was also mentioned at the Congress that the path from the Indian nation

to the white towns should always be kept straight and open; that their fathers traveled from thence to Charlestown, although they sometimes left their bodies on the road; that at no time had there been such-ill will between the Indians and the white people as had arisen since the Virginians came into the province; that they were continually robbing the Indians of their horses and injuring them in many ways; that he desired to be accepted by his excellency as a friend who had journeyed from afar to shake hands with him; and that, while among the Indians there was but little distinction in outward apparel, Governor Wright might rest assured that the Tiger Family, of which he was a member, was of royal descent.

The council having reassembled on the 6th, his excellency, in the presence of James Habersham, Noble Jones, Francis Harris, Jonathan Bryan, Grey Elliott, James Read, and John Graham, members of council, delivered the following concluding talk which he had intermediately prepared: —

"I am sorry that Mr. Stewart and Mr. Mackintosh could not be here according to your desire, but not receiving your message till yesterday seven-night, and then from the time you mentioned you should be here I expected you every day, it was impossible to have Mr. Stewart here in time, especially as he is very infirm and lame with the gout, and cannot travel with expedition, so that it would possibly have been three weeks before he would have received my message and have come here, even if he had been able or could have come at all which was very doubtful. And as to Mr. Mackintosh he also lives at a considerable distance, and it is a very difficult and bad way to his plantation: no roads are yet made in that part of the country, and the swamps are now full of water and almost impassable: and I thought there was the less occasion for his being present as he is not going any more into your country as Mr. Stewart's deputy.

"I very well know that you have paid due regard to several talks that I have sent up to you, and doubt not but you will continue to do so, as I shall always regard yours: and am very sorry you should find anything is wanting on the part of the White people that go into your country to trade with you, and that those people should be the first who despise and disobey the necessary orders and good regulations that are attempted to be established amongst and between them and the Indians, but we have bad people amongst us as well as you have.

"I know very well that it is a part of my orders and instruc-

tions to the Indian traders, as well as the Superintendent's, that they shall not take any raw skins, and that they shall not carry any rum into the nation, except about fifteen gallons once in three months for building of houses and other necessary purposes, also that no Indians or half-breeds should be employed as factors or to trade for any of the traders: and I am perfectly well satisfied of the truth of all the grievances and inconveniences you mention and complain of. And you may be assured that I will, to the utmost of my power, prevent these abuses for the future, and punish those that are guilty of them. But although we have many laws and all the white people are subject and liable to be punished by them, yet I must explain to you the difficulty I shall be under in so doing: for it is one part of our law that no man can be punished until he is found guilty of the crime or offence, that he is accused of, by a jury of twelve men, and that jury must have proof that the man is guilty before they can find him so: and this makes it very difficult for us to punish offenders, who live at so great a distance as your towns are from this, for want of proof. And many who could give evidence against others will not do it because they are guilty of the same crime themselves, and are afraid that those persons may inform against them. And another difficulty is that I cannot punish men who have not their license from me but from the Governor of Carolina, or either of the Floridas, and therefore I should be glad to have the names of the men who have misbehaved in the manner you mention that I may know whether they belong to this Province, or are licensed by me, or not, and also to be informed of the names of any of the traders who know or can prove those matters against any others. And you may depend upon it I will do everything in my power to punish them and prevent those abuses for the future, for I am as much against them as you can possibly be, but you see it is difficult for me to do that which I should be very glad to do.

"I well remember what Sempiaffe said at the Congress, which was much as you have mentioned, and he also said he would take away their goods from them, but he was told he must not take away the goods or horses of any that he found trading in the woods, but must complain of them to the Governor. And so I say now. And if I can get proof against any I will certainly punish them and take away their licenses if granted by me. And therefore I again desire to know if you can tell me the names of any that have so traded.

"It was also mentioned at the Congress that the path should continue to be kept open, straight, and white, from the Indian towns to the white people's: and I hope they will always remain so, that our friends, the Indians, may have no difficulty in coming to see us. I know perfectly well that the vagrant Virginians are a set of very bad people, and that they not only steal the Indians' horses but the white people's, and do many other injuries to both, and as often as we can catch any of them and get proof against them for stealing horses or cattle we hang them, and two of them were hanged here last summer.

"The Great King's subjects are all at full liberty to go where they please and cannot be confined to any particular country: therefore we cannot prevent the Virginians from coming into this Province. That is not in my power to do, but you may depend upon it I will punish and hang them whenever I can get sufficient proof against them according to our law. And notwithstanding the difficulties I have mentioned, yet you may depend upon it I will be very diligent and active in trying to redress the grievances complained of, and I hope I shall be able to do it: but a thing of that kind cannot be done all at once, and will take time, so that you must have a little patience. That as these things have been more particularly and immediately under the direction and charge of the Superintendent for some time past, I have not interfered in them: but now that the Superintendent has done with matters of trade, and they are left to the Governors, I will do everything that I possibly can to rectify the abuses &c. complained of.

"And now having answered all your talk I must thank you for your readiness in delivering up the fugitive negroes that were in your towns, (agreeable to my talk,) and I must again request that whenever any more are discovered to be amongst you, whether they have run away or been carried up by any of your people, they may be immediately sent back. I shall be answerable for the reward agreed to be given in such cases."

The conference ended, Governor Wright, in token of friendship and as an evidence of the confidence he reposed in the loyalty and courage of Emisteseegoe, presented him with a commission under the seal of the province. Thus patiently did his excellency hearken unto the complaints of the Indians, ascertain their grievances, sympathize in their annoyances, render them sensible of their rights, exert himself to redress their wrongs, and strive to keep the path "clean, white, and unstained," which led from the cabin of the colonist to the wigwam of the savage.

He was an admirable governor, faithful and intelligent in the discharge of his official duties, thrifty in his private affairs, observant of contracts, earnest in the advancement of the best interests of the province committed to his care, gentle and just in his intercourse with his Indian neighbors, wise in counsel, brave of heart, loyal to his king, and intolerant of those republican principles which were soon to dominate in the hearts of the American colonies even to the subversion of the allegiance which bound them to the parent realm.

CHAPTER VI.

England does not abandon her Determination to tax the American Colonies. — Opposition of the Commons House of Assembly to Parliamentary Rule. — Legislative Troubles. — The Breach widens. — Benjamin Franklin appointed "Agent to solicit the Affairs of the Colony." — Wylly's Response to the Communication from the Massachusetts House of Representatives. — Governor Wright's Report to the Earl of Hillsborough on the Condition of Affairs. — Georgia indorses the Resolutions adopted by Massachusetts and Virginia. — Governor Wright dissolves the Assembly. — Address of the Commons House of Assembly to the King. — Remarkable Letter of Governor Wright to the Earl of Hillsborough. — Meeting of Merchants at the Residence of Mr. Creighton. — Non-Importation Resolutions adopted at a Public Meeting of the Citizens of Savannah. — Jonathan Bryan suspended from Office. — The Four Southern Parishes demand Representation. — Governor Wright refuses to sanction the Choice of Noble W. Jones as Speaker of the Assembly. — Leave of Absence granted to Governor Wright, and Mr. Habersham assumes the Reins of Government.

With the repeal of the Stamp Act of 1765 George III. was thoroughly dissatisfied. He did not hesitate to characterize the proceeding as "a fatal compliance" which had placed thorns under his pillow and wounded the majesty of England. Although Parliament receded from the position at first taken in regard to stamp duties in America, the "Sugar" and the "Quartering" acts still remained of force. Townshend also framed a bill which specified paints, paper, glass, and lead, all articles of British fabrication, as subjects for custom-house taxation in the colonies. The exportation of tea to America was encouraged by legislation which permitted, for a period of five years, a drawback of the whole duty payable on the importation. These statutes clearly evinced, to the apprehension of the colonists, a determination on the part of the British government to raise a parliamentary revenue in America, and united them in the opinion, advanced by Otis, "that taxes on trade, if designed to raise a revenue, were just as much a violation of their rights as any other taxes." In his "Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies," which enjoyed a large circulation in

America and were reprinted in London by Benjamin Franklin, John Dickinson clearly demonstrated the "danger of allowing any precedent of parliamentary taxation to be established on grounds no matter how specious, or to any extent no matter how trifling."

Franklin gave expression to the growing resolution of the colonists to deny the power of the British legislature to intervene in their affairs when he said, "I will freely spend nineteen shillings in the pound to defend my right of giving or refusing the other shilling."

With the eclipse of Chatham, Charles Townshend, "lord of the ascendant," thus announced his policy of coercion: "Let us deliberate no longer; let us act with vigor now while we can call the Colonies ours. If you do not, they will very soon be lost forever." It was in vain that Fox prophesied with all the earnestness of his splendid eloquence, "If you persist in your right to tax the Americans you will force them into open rebellion;" and it was to no purpose that Burke reminded his compeers that the American colonies were the children of England, and that when they asked for bread they should not be turned away with a stone. Virginia and Massachusetts were maturing their resolutions of non-importation which were subsequently adopted by Georgia. South Carolina openly advocated resistance, in every form, to taxation without representation. New York was equally pronounced in her views. Agents of the colonies were busy in England with their protests, and colonial legislatures fatigued the ear of majesty with memorials for a repeal of the obnoxious acts. Georgia applauded the doctrines advanced by the "Pennsylvania Farmer," and although some of her influential and wealthy citizens sided with the Crown, by far the greater number of her people delighted to be known as "Liberty Boys." True to his king, Governor Wright justified and supported all acts of Parliament, and this loyalty brought him in conflict with the General Assembly of the province. His correspondence at this time is largely occupied with a narrative of these legislative troubles.

On the 16th of January, 1767, he received a communication from Captain Phillips who, by General Gage's orders, was then commanding detachments of his majesty's Royal American Regiment stationed in South Carolina and Georgia, inquiring where he should apply for such supplies for his troops as were authorized by the terms of the Mutiny Act. Four days afterwards the governor transmitted to the General Assembly a special

message on the subject, accompanying it with an extract from Captain Phillips' letter indicating what supplies were needed, and also with a copy of the Mutiny Act. The Upper House promptly responded assuring his excellency that they would cheerfully concur with the Commons House in the adoption of any measure which might be adjudged expedient to carry into execution the matters recommended.[1] From the Lower House of Assembly, however, came no answer. Irritated at the delay, the governor sent for two members of that body and informed them that if an answer was not forthwith returned he should feel obliged to issue a second message in which he would probably mention some things which would not prove entirely pleasant. On the 18th of February the Lower House submitted an address in which, after professing "loyalty, duty, and affection to their most gracious Sovereign, and their respect for the British Parliament," they humbly conceived that a compliance with the requisition contained in the message of his excellency "would be a violation of the trust reposed in them by their constituents," and would establish a precedent they by no means thought themselves justified in introducing. Thus boldly did the representatives of the people refuse to obey the act of Parliament, and set at naught the wish and the authority of the royal governor. Incensed at their conduct, he still refrained from entering into an altercation with them, and contented himself with transmitting an account of the proceedings to his majesty's ministers. In his communication to the Earl of Shelburne[2] he assigns as a reason for not dissolving the assembly on the instant that there were several members in it who were disposed to support the government, and that if a new assembly were convened, he was of opinion it would be composed wholly of "what they call Sons of Liberty, that is in fact, my Lord, Sons of Licentiousness, and such as were disposed to strike at the Sovereignty of Great Britain."

The disposition of the Lower House to oppose the acts of Parliament and to refuse obedience to them was further manifested on this wise. Two bills had passed the General Assembly for the establishment of ferries. They did not provide, however, for transporting postmen without detention and free of charge, as directed by the statute of the 9th of Queen Anne, cap. 10, sec. 29. Perceiving the omission, the governor requested the coun-

[1] See *Address of the Upper House*, dated Jan. 20, 1767.

[2] Dated at Savannah, April 6, 1767.

cil, as an Upper House, to prepare an amendment which would meet the requirements of the act. This was done. Upon a conference, the Lower House refused to acquiesce in the amendment, and so the bills were lost. The members of the assembly placed their dissent upon the broad ground that they would not submit to an enforcement of the act of Parliament alluded to.

In view of this conduct, Governor Wright felt constrained to assure the Earl of Shelburne that the sovereignty of Great Britain in America had received a wound from which it could scarcely recover, and that, in his judgment, the acts of Parliament would in future possess little weight in the American provinces.

In his response, his Lordship, who was then his majesty's principal secretary for the Southern colonies, expresses astonishment at the conduct of a province which had been so highly favored and signally protected by the mother country, and adds, "I have it in command from his Majesty to inform you that he expects and requires the Commons House of Assembly in Georgia to render an exact and complete obedience in all respects whatever to the terms of the Mutiny Act." In order to punish the colony for the refusal of its representatives to furnish the supplies for the troops under the command of Captain Phillips, General Gage ordered a withdrawal of all the king's forces from the province. Alarmed at the abandonment of the forts and the defenseless condition of Georgia, the Commons House of Assembly, at its next session, reversed the action of its predecessor, and voted such pay and supplies as sufficed for the maintenance of a small force to man the principal fortifications and to form a nucleus of protection in case of servile insurrection or of an invasion by the Indians.

Another dispute between the governor and council and the Lower House arose in regard to the appointment of Mr. Samuel Grath as agent "to solicit the affairs of the Province in England." The former agent, Mr. Knox, had been displaced. His excellency was desirous that the vacancy, thus caused, should be filled by the selection of Mr. Cumberland. Disregarding his wish, the Commons House of Assembly conferred the appointment upon Mr. Grath, who already held the agency for the province of South Carolina. Persuaded that it would be not only difficult, but also well-nigh impossible for him properly to represent the two colonies whose interests were sometimes not in common, the governor and council refused to sanction this choice and

used their influence "to prevent his being accredited, as agent of Georgia, by any of the Boards in London."

The Lower House saw fit to widen the existing breach by treating the governor with additional discourtesy.

On the 5th of February, 1767, the principal merchants of Georgia submitted a petition to the General Assembly in which they stated that in consequence of the rapid increase of population, the expansion of commerce, and the settlement of East Florida, which drew its supplies in large measure from Georgia, the province was suffering from an insufficiency of currency; that there was little coin in the country; and that the amount of currency sanctioned by the Crown and emitted by the colonial government was wholly inadequate for the purposes of trade. They therefore applied to the General Assembly for relief.

Upon consideration it was agreed by the legislature that a petition should be transmitted to the king and Parliament praying a repeal of the act forbidding the issuing of paper currency in America, and requesting that Governor Wright be instructed to give his assent to a bill calling in the outstanding issue of £7,410, and authorizing a new issue of £22,000 to answer the financial needs of the province.

Believing that relief was proper, but deeming the sum suggested too large, Governor Wright refused to sanction the proposed issue to a greater amount than £12,000. In giving his reasons for this impression he stated that the skin trade of the province, which was very considerable, was carried on without money; that those skins were, by the Indians, bartered for goods supplied by the traders; that the principal articles for which money was paid were rice and lumber, and that even these were largely used by way of exchange with merchants from abroad who furnished negroes, dry goods, groceries, etc.; and that his fear was, if the paper currency of the province should be thus inflated, instead of exchange remaining at par it would be injuriously affected. Notwithstanding these objections the General Assembly allowed the petition and forwarded it, not through the governor, but directly to the colonial agent in London for presentation to his majesty. His excellency was justly incensed at the irregularity and discourtesy of this proceeding. In a communication to the Secretary of State he commented "on the impropriety of this application being made by the Assembly *alone*, and solicited by a gentleman whom they alone take upon themselves to nominate Agent for the Province of Georgia: a thing I

believe never before attempted in any Province on the Continent of America."

The prayer of the petitioners was denied. Whatever the merits of the case may have been, conduct so irregular could not hope to win the favor of the king.

The refusal of his majesty to sanction two acts passed by the General Assembly and approved by the governor — one providing for the more efficient control of the slave population, and the other encouraging settlers to come into the province — greatly disturbed the public mind and tended still further to alienate the affections of the colonists. Thus prevented from the enactment of laws designed to enlarge the commerce and population of the province, and to confirm its internal peace and good order, the people and their representatives became irritated to such a degree that his excellency, almost in despair, declared "though he had hitherto kept the Assembly within tolerably decent bounds, yet that he had lately discovered more than ever a strong propensity to be as considerable and independent, as they term it, of the British Parliament, or of the sovereignty of Great Britain, as any of the Northern Colonies."

This utter dependence upon the will of the home government in all legislative matters, and the delays which often occurred in securing the requisite sanction for colonial laws so that they might become operative, each year proved more onerous. Increasing in population and wealth, and daily becoming more conscious of her self-sustaining abilities, Georgia, in common with her sister colonies, already yearned for independence and craved liberation from parliamentary rule. The necessity that every law should be sent to England for confirmation before it could acquire force and vitality in the province where it was enacted often caused serious hindrance, and not infrequently retarded the administration of important governmental affairs. When enacted by the General Assembly the bill was first submitted for the approbation of the colonial governor. If by him vetoed, it generally there died an early death. If assented to, it was forwarded to London where it was referred to the king's attorney for a report. When returned by him, without objection, to the Lords Commissioners of Trade and Plantations, it was subjected to the scrutiny of that board. If by it approved, the act was then transmitted to the king's council. Passing the inspection of this august body, it received the sign manual of the king and thereupon became a law. Returned to the Board of Trade, it was

placed in the hands of the Crown agent, who dispatched it to the colonial governor. Sometimes a delay of two years would intervene between the date of the passage of the act by the Colonial General Assembly and a formal notification of its having received the sanction of the Crown.[1]

Of the eight thousand slaves at this time owned and employed in the province of Georgia, nine hundred and fifty-four were the property of the governor and council. The members of the Common Council being men of substance, character, and influence, holding their positions by direct appointment from the Crown, and acting as the special advisers of the governor, were, as might reasonably be expected, more conservative in their views and more frequently in sympathy with the wishes of Parliament than the members of the Lower House, who, drawn from and elected by the people, naturally reflected the temper and sentiments of their constituents. This latter body was always aggressive during this period of political unrest. From its deliberations and declarations of rights sprang the main opposition to the acts of Parliament.

In April, 1768, the province was fortunate in securing the services of Dr. Benjamin Franklin as an agent "to represent, solicit, and transact its affairs in Great Britain." His appointment was assented to by Governor Wright. A committee, consisting on the part of the Council of James Habersham, Noble Jones, James Edward Powell, Lewis Johnson, and Clement Martin, and on the part of the Commons House of Assembly of John Mullryne, John Smith, Noble Wimberley Jones, John Milledge, John Simpson, Archibald Bullock, William Ewen, and Joseph Gibbons, was appointed to correspond with him "and give him such orders and instructions from time to time as they shall judge to be for the service of this Province." His salary was fixed at £100 over and above all reasonable charges and disbursements.

Although this appointment was only for a year,[2] it was subsequently enlarged, and Dr. Franklin continued to represent the colony until the outbreak of the Revolution put an end to his labors in this behalf. Hitherto, the Commons House of Assem-

[1] Compare Stevens' *History of Georgia*, vol. ii. p. 62. Philadelphia. 1859.

[2] See an ordinance appointing Benjamin Franklin, Esq., agent to solicit the affairs of the province in Great Britain, contained among the *Acts passed by the General Assembly of Georgia at a Session begun and holden at Savannah on Monday, the 26th day of October, Anno Domini* 1767, etc., pp. 31, 32. Savannah. Printed by James Johnston.

bly claimed and exercised the exclusive right of nominating an agent, and had in more than one instance acted in direct opposition to the expressed wish of the governor and council. Now, however, there was harmony in the selection of one whose reputation, abilities, and honesty placed him above all suspicion, and qualified him in a remarkable degree for the discharge of the trust.

On the 11th of February, 1768, the Massachusetts House of Representatives, through their speaker, addressed a circular letter to the several provincial assemblies recounting the grievances to which the American colonies were subjected, soliciting a union of petitions to the Houses of Parliament and to the king for redress, and counseling a confederation of the respective provinces in opposition to the oppressive acts of Great Britain. When this letter reached Savannah the General Assembly was not in session, but Mr. Alexander Wylly, late speaker of the Lower House, responded to it as follows: —

"Province of Georgia, 16 *June*, 1768.

"Sir, — Your respected favor of the 11th of February came to hand only a few days since. I am sorry it is not in my power to give you so full and satisfactory an answer thereto as the importance of the subject requires. The Members of the present Assembly of this Province have but lately been elected; and though the writs were returnable and the House was required to meet the first of this month, yet our Governor thought proper, prior thereto, to prorogue the Assembly until November.

"For this reason, Sir, I can only reply to your favor as a private person, or late Speaker, and inform you that before the dissolution of the last Assembly the House took under consideration the several late Acts of Parliament for imposing taxes and duties on the American Colonies, and being sensibly affected thereby, ordered the committee of correspondence to instruct our Provincial Agent, Mr Benjamin Franklin, to join earnestly with the other Colonies' Agents in soliciting a repeal of those acts, and in remonstrating against any acts of the like nature for the future. These instructions have been transmitted to Mr Franklin and I have no doubt but he will punctually observe them. When the Assembly meets I will lay your favor before the House, and I am sure that such measures will be pursued, in consequence thereof, as will manifest their regard for constitutional liberty and their respect for the House of Representatives of the Province of Massachusetts Bay whose wise and spirited conduct is so justly admired."

In advising the Earl of Hillsborough of the effect produced by the circular letter from Massachusetts, Governor Wright[1] says: "My Lord, Virginia has entirely concurred and, in the strongest manner, asserts what she calls her rights, and denies the Parliamentary authority of Great Britain as your Lordship will see by Mr. Randolph's letter of the 9th of May. The people of Maryland have also expressly approved of that letter and say that when they apprehend their rights to be affected they will not fail boldly to assert and steadily to endeavour to maintain and support them. . . . The people of New Jersey, Connecticut, and Rhode Island have also approved and answered that letter, and this, my Lord, I know is the sense and language of every Colony on the Continent, so that your Lordship sees it has had its effect already. However, your Lordship may be assured that every mean in my power shall be exerted to prevent that flagitious attempt to disturb the public peace from any further weight or success. But, my Lord, I fear it will be impossible to counteract or defeat the effect of the Pennsylvania Farmer's poison. . . . They now to the Northward not only deny the power of the British Parliament to tax them, but that they are subject to, or may be governed by any other laws whatever to which they have not given their consent, and 't is those things my Lord that cherish the spirit of Independency, and keep up the flame in the Southern Colonies.

"Much, with respect to the conduct of the people here, my Lord, I conceive, will depend on the notice taken of this by Government or Parliament, as the controverted matters between Great Britain and America seem now to be at or near the crisis. And, my Lord, it is not to be expected that a reform is to be effected in America 'till it is at least begun in the Mother Country. The King, my Lord, has not a servant better disposed or more zealously devoted to the support of his Majesty's just authority and the true sovereignty of Great Britain, or who will go greater lengths to do it than myself, but my Lord, what can a Governor do at present in America, where the voice of the people is so general and strong against the measures pursued in the Mother Country, and when some of the Colonies expressly deny the power and authority of Great Britain over them? . . . I am destitute of the means of support and protection either for myself or for those who are friends to government against any insults &c. that may be offered by mobs, &c., &c. And my Lord, I fear it

[1] See letter dated Savannah in Georgia, 6 Aug. 1768.

is vain for a Governor to expect to set the people right by reasoning. A Demosthenes or a Cicero would spend his breath in vain, and it gives me the greatest concern to find that the sentiments and opinion I at first conceived and very early intimated, have been so strongly and fully supported by diverse events. But I then clearly saw that certain declarations, followed by the repeal of the Stamp Act and other indulgencies, instead of having the salutary and wished for effect, would only serve to encourage and convince the Americans of the rectitude of their claims and measures, and that they were legal and constitutional: — at least such is their apprehension: — and I must crave your Lordship's pardon for saying that the disease, as I have observed, having been in some measure promoted and encouraged by the Mother Country, I conceive the remedy and reform must come from thence likewise."

Mr. Wylly being absent upon the assembling of the legislature, the Honorable Noble Wimberley Jones was elected speaker of the Lower House. In his opening speech the governor referred in terms of disapprobation to Mr. Wylly's reply to the communication received from the speaker of the Massachusetts House of Representatives, acquainted the assembly with the fact that his majesty regarded the measures therein proposed as dangerous and disloyal, warned the members against giving any countenance to those suggestions, and threatened the assembly with early dissolution if it should attempt any formal sanction of them.

The ordinary business of the session having been attended to, and such laws enacted as the necessities of the colony demanded, Mr. Wylly, on the 24th of December, 1768, laid before the House the letter from Massachusetts, and also one of like tenor from the Honorable Peyton Randolph, speaker of the Commons House of Assembly of Virginia. Having ordered them both to be entered on the journal, the House adopted the following resolutions: —

"Resolved, That from the inherent right of the subject to petition the Throne for redress of grievances, a right allowed and confirmed by the Act of William and Mary, the said letters[1] do not appear to the House to be of a dangerous or factious tendency, but on the contrary, in the opinion of this House, only tend to a justifiable union of subjects aggrieved in lawful and laudable endeavors to obtain redress by an application founded upon and expressive of duty and loyalty to the best of Kings, a

[1] From the assemblies of Massachusetts and Virginia.

becoming respect for the Parliament of Great Britain, and an equitable and natural affection for our Mother Country, and arises from the tender and commendable attention of those Colonies to the natural rights and liberties of the British subjects in America, and to which they are undeniably entitled upon the happy principles of our constitution.

"Resolved, That copies of this resolution be, by the Speaker of the House, transmitted to the Speaker of the House of Representatives of the Province of Massachusetts Bay, and to the Speaker of the House of Burgesses in Virginia, and that they be acquainted by him that this House approves of the measures by them pursued to obtain redress of our common grievances, also of the method by them taken of communicating these measures to the other Provinces of the Continent.

"Ordered that the several proceedings and resolutions respecting the said letters be published in the Gazette of this Province, and that the Clerk do furnish the printer[1] with a copy of the same."

Informed of what had transpired, and mortified that his persuasions and threats had proved of no avail in deterring the Commons House of Assembly from entering this formal indorsement of the Massachusetts and Virginia communications, Governor Wright addressed the House as follows: —

"*Mr. Speaker and Gentlemen of the Assembly.*

"From the disposition that appeared amongst you at the opening of the Session I flattered myself that it would have been brought to a happy conclusion. It gives me great concern to find it now otherwise, and that you have disregarded the principal matter I had in charge from the King, and thereby missed a fair opportunity of cherishing the confidence his Majesty has in your affections. But by receiving and countenancing the Boston letter in the manner you have done, you have laid me under the necessity of dissolving you. You well know that more than ordinary pains have been taken to prevent this event. If any disagreeable consequences should attend it, you will have brought them upon the Province by a deliberate act, and it is you, and you only who will have to answer to your constituents.

"However you may have been influenced by the conduct of the other Provinces, be assured that your true Liberty and prosperity must depend upon the free and uninterrupted course of Law and Government under the support and protection of the

[1] James Johnston.

Mother Country, and that you cannot possibly enjoy these invaluable blessings without that protection and support. And how can you expect this or with what right can you pretend to it if you declare yourselves an independent people? To me it appears a flat contradiction to acknowledge the British Parliament to be the supreme Legislative power over the whole British Empire, (of which we are a part,) and in the same breath to deny the power of that very Parliament over us. Nor can I see or admit the propriety of the Americans declaring that they 'cheerfully acquiesce in the authority of the British Parliament to make laws for a necessary dependence and regulating the trade of the Colonies,' and at the same time denying its authority to make other laws, which I conceive to be a very loose and improper jumble or system of Government without any criterion but the mere caprice of the populace. I presume the authority of the Parliament must be full and complete, or it does not operate at all.

"The distinction between internal and external taxes I conceived, and said to be, a distinction without a difference. I said also that if it was granted to the Americans that they were not subject to be constitutionally taxed by Parliament, not being represented there, then I apprehended the same reasons would hold in every case, and the same objection lie against every law made by Parliament to affect the Colonies. It seems absurd to say that the Colonies are not bound by Acts of Parliament imposing what are called internal taxes because they have not assented to such laws, not being represented in that Parliament, and at the same time to admit that they are bound by and subject to the laws made by the same Parliament. . . .

"I have declared that if America was to become independent of the Mother Country, from that day you may date the foundation of your ruin and misery.

"These were the sentiments I declared three years ago, and which I still retain, and I most ardently wish I had been able to prevail upon you to be so far of my opinion as to have paid due regard to his Majesty's expectations from you, and to have observed a more prudent conduct in that particular until the matters of difference between Great Britain and the Colonies were clearly settled. But as things are circumstanced here, there is only one thing for me to do, which is, by virtue of his Majesty's authority and in his name, to dissolve this Assembly, and I do accordingly dissolve the same."

Thus did Governor Wright in the same breath argue, explain, regret, and prophesy. His action in dissolving the assembly was not unanticipated. That body had previously prepared this address: —

"*To the King's most excellent Majesty.*

"The humble address of the Commons House of Assembly of the Province of Georgia, 24th December, 1768.

"MOST GRACIOUS SOVEREIGN: —

"Your dutiful and loyal subjects, the Commons House of Assembly of Georgia, with the greatest humility beg leave to represent to your sacred person the grievances this Province labors under by the late Acts of the Parliament of Great Britain for raising a revenue in America. Equally attached by interest, principle, and affection for our Mother Country, we readily acknowledge a constitutional subordination to its supreme Legislature. At the same time, with inexpressible concern, we much lament that by their imposition of internal taxes we are deprived of the privilege which, with humble deference, we apprehend to be our indubitable right, that of granting away our own property, and are thereby prevented from a ready compliance with any requisition your Majesty may please to make, and which to the utmost extent of our small abilities we have hitherto always most cheerfully obeyed.

"From your Majesty's equity, wisdom, and truly paternal regard for the rights and liberties of your subjects, however remote, we flatter ourselves with, and firmly rely upon, redress in this our unhappy situation; and as we of this Province experience your Majesty's particular countenance and protection in our present infant state, for which we are impressed with the deepest sense of gratitude, so we most earnestly hope we shall also experience in general, with our sister Colonies on this occasion, fresh marks of your Majesty's royal Justice and attention to the supplications of your distressed subjects.

"We beg leave to assure your Majesty that none of your numerous subjects can or do more ardently wish and pray for a continuance of your most auspicious reign, and that your latest posterity may happily rule over a free, grateful, and loyal people, than your faithful Commons of Georgia.

"By order of the House. N. W. JONES, *Speaker.*"

This memorial, in which a profession of loyalty and devotion to the king, a suggestion of grievances, an acknowledgment of constitutional subordination to Parliament, and an assertion of

reserved rights are strangely commingled, was by the speaker of the House forwarded over the head of the governor to Dr. Franklin, Georgia's agent in London, with instructions to present it to his majesty, and to unite with the agents of the other American colonies in an earnest effort to compass a repeal of those acts of Parliament which were deemed oppressive, and destructive of that harmony which should exist between England and her American provinces.

The fate of this address is thus disclosed in a communication from the Earl of Hillsborough to Governor Wright:[1] "Dr. Franklin having delivered to me an address, to his Majesty, of the House of Commons of Georgia on the subject of the late Revenue Law, I have not failed to present it to the King: and tho' his Majesty considers the transmission of this Address through any other channel than that of his Governor as irregular and disrespectful, yet his Majesty has not weighed the contents with the less attention: but finding that it does both in the letter and spirit deny and draw into question the authority of Parliament to enact laws binding upon the Colonies in all cases whatsoever, his Majesty has directed me to signify to you that he does on this account disapprove of this Address, being firmly resolved to support the Constitution as by law established, and not to countenance any claims inconsistent with its true principles." Governor Wright's action in promptly dissolving the assembly was approved.

And here we make no apology for reproducing the following remarkable letter of the governor of Georgia to the Earl of Hillsborough, which has long lain in silence among the files of the Public Record Office in London. Written on the day Napoleon the First was born, it conveys a wonderfully accurate impression of the political aspects of the period, and abounds in suggestions most wise and statesmanlike. Had the British government maturely considered and adopted the views and advice contained in this communication, instead of leaving it unread for fifteen months, as appears by the indorsement, how different might have been the course of events in America!

"SAVANNAH IN GEORGIA, 15*th August*, 1769.

"MY LORD, — On the 7th inst I had the honor to receive your Lordship's letter of the 13th of May enclosing his Majesty's most gracious Speech at the close of the last Session of Parliament, and observe the satisfaction his Majesty expresses at the

[1] Dated Whitehall, March 23, 1769.

assurances given him by Parliament of their firm support in the prosecution of such measures in America as may best promote the execution of the laws and enforce the legislative authority of Great Britain over the Colonies; and I should hope the people on this Continent, seeing the united concurrence and resolution of every branch of the Legislature relative to America, and also the generous disposition of his Majesty and the Parliament towards them, would be induced cheerfully to submit to that supreme and sovereign authority. And his Majesty may rely on my fullest and best explanation of his measures, and that I will, to the utmost of my power, endeavour to remove the prejudices which have been excited by the misrepresentations of the enemies to the peace and prosperity of Great Britain and her Colonies, and to reëstablish that mutual confidence and affection upon which the glory and safety of the whole British Empire depend.

"And here, my Lord, permit me to observe that I am fully persuaded not a man in a thousand, or I believe I may say ten thousand, has the least spark of disaffection to his Majesty's person or his illustrious family. This I dare venture to say is not to be found anywhere either amongst the Americans born, or any other people of what Country or Nation soever. And I conceive that the opposition which has been given to government and the legislative authority of Great Britain has not proceeded from any spirit or principle of this sort, nor do I apprehend it to have proceeded from any dislike to monarchical government; altho' there may be some few of Republican principles in America, there being a good many of the descendants of the Oliverian Puritans &c scattered about.

"But my Lord, the Americans are so clearly convinced that they are not represented in the British Parliament, and also are so enthusiastically possessed with an opinion that they cannot be constitutionally taxed by a Parliament in which they are not represented, or be subject to be taxed by laws to which they have not consented, I say my Lord, the many printed publications and speeches in Parliament, together with the repeal of the Stamp Duty Law, &c, have so firmly fixed them in their opinion on this point, and of the rectitude of their measures since these unhappy disputes first took place, that I am fully persuaded they never will be brought to change their sentiments or to acquiesce quietly under any tax or duty law. And my Lord, the partial relief proposed to be given in the next session of Parliament by the repeal or taking off the duties upon glass, paper, and colours,

I humbly conceive will not answer any effectual purpose, and that the spirit of discontent and dissatisfaction will nevertheless continue and be as violent as ever, for the grievance complained of, whether real or imaginary, will still remain unredressed, and no *new* line drawn or established settling the power or right of Parliament to tax America, till which I fear there will be continual associations &c injurious to Great Britain as well as the Colonies, and which your Lordship has seen or will see has become almost universal, and the Americans will certainly be drove to observe strict economy and to manufacture everything they possibly can amongst themselves in prejudice to Great Britain. A mere declaration of the *right* of Parliament to tax America will not *now* have any weight. There was a time my Lord, when that, and enforcing a particular law, (if it had been only for six months), would have most effectually settled and established the point; but believe me, my Lord, the time and the only time has been missed, and those things are considered not as the real and true sense of either Parliament or People, but as the effect of Ministerial influence, and some other mode will now be necessary for settling and bringing this matter to a point; not force or troops which I conceive are of no use further than a few just to prevent riots, and support the Governors &c from public affronts and insults. I don't mention this as with respect to this Province, for I have received none since the Winter and Spring of 1765 and 1766, when I had my full share; tho' I thank God we are now very easy, quiet, and happy; and I believe the People are convinced that my vigilance, activity, and firmness in opposing their measures at that time, and enforcing the Stamp Act, proceeded from an honest principle and resolution to discharge my duty to his Majesty to the utmost of my power and to support the Sovereignty and Honor of Great Britain.

"My Lord, my opinion has ever been, and is well known in this part of the World to be, that according to the present constitution the Parliament has an absolute right to bind the Colonies, and that America is and can be bound by every Act of the British Parliament in all cases whatever, and that both the Parliamentary right and power, and the sovereignty of Great Britain, does extend to and operate fully and entirely in America, and this notwithstanding any claim of the Americans by any Charter or other kind of right whatever to the contrary. But my Lord when people first emigrated to America I conceive it was not thought or could be supposed that America would so soon, if

ever, become that vast, populous, and opulent Empire or Dominion that it *now* is. May it not therefore my Lord, in point of true policy, as well as from motives and principles of equity and justice, now, from the present circumstances and situation of affairs, become expedient to make some alteration in the present Constitution relative to America? But least what I have already suggested may be considered as too presumptive in me, I shall forbear saying anything further, altho' my Zeal for his Majesty's service and the real happiness of both Great Britain and the Colonies strongly prompt me to proceed.

"I have the honor to be with great deference, my Lord,

Your Lordship's most obliged and most obed^{t} Serv^{t}

JA: WRIGHT.

"To the EARL OF HILLSBOROUGH, &c. &c.
(Endorsed) Read Nov^{r} 7, 1770."[1]

Parliament being still intent upon an enforcement of the acts of which the American colonies complained, and all petitions for redress having proved fruitless, the provinces resolved to take the matter in their own hands, and, by a suspension of commercial dealings with England, to work that change in the purposes of the administration which their remonstrances had failed to effect. Upon her colonial trade did the prosperity of England largely depend. Commercial non-intercourse, therefore, could not do otherwise than seriously affect the well-being of the mother country. The appeal to sentiment, affection, and right was abandoned. The argument was now addressed to the pockets of the English people. The proposition was to import no articles whatever which could be manufactured or produced at home, and to abandon the use of luxuries. To the merchants of Boston does the credit belong of suggesting this plan, "but the Assembly of Virginia, in June 1769, was the first Legislative Body which adopted resolves of non-importation which ere long were sanctioned by the other Colonies."

Georgians quickly recognized the advisability of the scheme, and earnestly sympathized in its consummation.

On the 16th of September, 1769, at a meeting of merchants convened at the residence of Mr. Alexander Creighton, in Savannah, it was agreed that the late acts of Parliament, against which the Northern colonies had so unanimously remonstrated, "were unconstitutional, and that the taxes therein contemplated were inconsistent with the abilities of the American Provinces."

[1] P. R. O. *Georgia, B. T.*, No. 32.

Full sympathy was expressed with the other colonies upon the question of non-importation. Speaking for the interests of Georgia, the gentlemen then present affirmed that the sterling current money of the province, which, by act of the General Assembly, assented to by his majesty, was declared equal in value to the coin of the realm and a lawful tender for the payment of all dues, having been refused when offered in payment of the duties imposed by the acts of Parliament, had been thereby greatly depreciated in value; that in consequence of this refusal all the citizens of the province had suffered injury; and that Georgia having been excluded from the benefit of the Spanish trade, by means of which specie was most readily procurable, and the recent acts imposing duties which were solvable only in gold or silver, the inhabitants of the province were, from the nature of the case, rendered incapable of responding to any call which the mother country might constitutionally make.

It was therefore resolved "That any person or persons whatsoever importing any of the articles subject to such duties, after having it in their power to prevent it, ought not only to be treated with contempt but deemed enemies to their country: — it being a circumstance that need only be mentioned to any person inspired with the least sense of liberty, that it may be detested and abhorred."

Not long afterwards, at a called public meeting, the Honorable Jonathan Bryan being in the chair, the following resolutions, reported by a special committee, were agreed to and ordered to be published in the next issue of the "Gazette." [1]

"We, inhabitants of Georgia, finding ourselves reduced to the greatest distress and most abject condition by the operation of several acts of the British Legislature by means whereof our property is arbitrarily wrested from us contrary to the true spirit of our Constitution and the repeatedly confirmed birthright of every Briton, under all these oppressions finding that the most dutiful and loyal petitions from the Colonies for redress of these grievances have not answered the salutary purpose we intended, and being destitute of all hope of relief from our multiplied and increasing distresses but by our industry, frugality, and economy, are firmly resolved never to be in the least accessory to the loss of any privilege we are entitled to:

"Therefore, we, whose names are hereunto subscribed, do solemnly agree and promise to and with each other that until the

[1] This was the only newspaper then printed within the limits of the province.

said acts are repealed, we will most faithfully abide by, adhere to, and fulfill the following resolutions.

"I. That we will encourage and promote American manufactures, and of this Province in particular.

"II. That as the raising of Sheep for the benefit of wool will be of the utmost utility, we do therefore engage not to kill or sell any lambs that shall be yeaned, before the 1st of May in every year, to any butcher or other person who, we may have reason to think, intends to kill the same.

"III. That we will promote the raising of cotton and flax, and encourage spinning and weaving.

"IV. That we will upon no pretense, either upon our own account or on commission, import into this Province any of the manufactures of Great Britain, or European or East India goods, other than may be shipped in consequence of former orders, except only cloth, not exceeding $1^s\ 4^d$ pr yard, osnabrigs, canvass, cordage, drugs, and hardware of all sorts, paper not exceeding 10^s pr ream, fire arms, gunpowder, shot, lead, flints, salt, saltpetre, coals, printed books and pamphlets, white and striped flannels, not above 9^s pr yard, white linen not above $1^s\ 8^d$ pr yard, woollen and thread hose not exceeding 24^s pr doz: striped cotton not exceeding $1^s\ 4^d$ pr yard, checks not above $1^s\ 3^d$ per yard, felt hats not above 48^s pr doz: bolting cloths, mill and grind stones, cotton and wool cards, and wire, thread not above 8^s pr lb., shoes not above 48^s per doz: as also the following goods necessary for the Indian Trade, viz. strouds, vermilion, beads, looking glasses, and paint. And exclusive of these articles we do solemnly promise and declare that we will immediately countermand all orders to our correspondents in Great Britain for shipping any goods, wares, and merchandize other than hereinbefore excepted, and will sell and dispose of the goods we now or hereafter may have at the same rates and prices as before.

"V. That we will neither purchase nor give mourning at funerals.

"VI. That from and after the 1st June 1770 we will not import, buy, or sell, any negroes that shall be brought into this Province from Africa, nor after the 1st of January next any negroes from the West Indies or any other place excepting from Africa aforesaid. And if any goods or negroes be sent to us contrary to our agreement in this subscription, such goods shall be reshipped or stored, and such negroes reshipped from this Province and not by any means offered for sale therein.

"VII. That we will not import on our own account or on commission, or purchase from any masters of vessels, transient persons, or non-subscribers, any wines after the 1st March next.

"VIII. That we will not purchase any negroes imported, or any goods, wares, or merchandize, from any resident of this Province, or transient person, that shall refuse or neglect to sign this agreement within 5 weeks from the date thereof, except it appear he shall have been unavoidably prevented from so doing. And every person signing and not strictly adhering to the same according to the true intent and meaning thereof, and also every non subscriber, shall be looked upon as no friend to his country."

Mr. Bryan, who presided at the meeting, was at the time a member of his majesty's council for the province of Georgia. These non-importation resolutions produced a decided effect upon the public mind, and were generally indorsed. The estrangement between Great Britain and her colonies was rapidly becoming more manifest, and but little effort was made on the part of England to conciliate her disaffected provinces. When informed of the action of the Savannah meeting the king was much incensed. Manifesting his disapprobation of the combination then formed, he was pleased, on the 9th of December, 1769, through the Earl of Hillsborough, to order that Mr. Bryan "should be immediately suspended from his seat at the Council Board, and removed from any office he might hold in Georgia:" it being the determination of his majesty to discountenance "every measure that tended to violate the Constitution and excite opposition to the laws."[1] Thus, in the person of the Honorable Jonathan Bryan, a pure patriot, an influential citizen, and a brave man, do we record the first instance of political martyrdom in Georgia. His deposition,[2] so far from intimidating the "Liberty Boys," caused their numbers to multiply and their hearts to grow stronger.

On the 16th of November, 1769, the Commons House of Assembly memorialized the governor upon the expediency of issuing writs for the election of representatives from the four southern parishes, St. David, St. Patrick, St. Thomas, and St. Mary, which had been carved out of the recently acquired lands lying between the rivers Alatamaha and St. Mary. It was urged upon the consideration of his excellency that the inhabitants of those parishes

[1] See *Letter of the Earl of Hillsborough to Governor Wright*, dated Whitehall, 9th December, 1769.

[2] His removal from his seat at the Council Board was reported by Governor Wright in a letter to the Earl of Hillsborough, dated Savannah, 1st March, 1770.

were deprived of the inestimable privilege and right of consenting, through their representatives, to the framing of laws affecting their persons and property, and that unless the freeholders inhabiting that territory were admitted to an equal representation, the House would be unable to apportion the taxes intelligently and fairly. The governor, while admitting it to be certainly just that each parish in the province should be represented, expressed a doubt as to his power to grant the writs requested because, under existing instructions, he was directed neither to increase nor to diminish the membership of the assembly. He promised, however, to reflect upon the application; and, if he came to the conclusion that he could not grant the request, he intimated that he would submit the matter for the consideration of the home authorities and invoke their permission to order the elections.[1] Upon conferring with Council, Governor Wright was advised by that body that he did not possess the authority to issue the writs of election as prayed for. It was therefore deemed proper to refer the subject to the consideration of the general government, and to invoke definite instructions.

No response having been received, the Commons House of Assembly, on the 20th of March, 1770, again addressed the governor in relation to the matter. "A partial representation," said the members, "is a measure unknown in any part of his Majesty's dominions, and entirely inconsistent with the bulwark of our liberties, the glorious Bill of Rights, the pride of our Nation and the envy of the rest of mankind." Making a personal application of the principle for which Georgia in common with her sister American colonies was then earnestly contending, that taxation without representation was intolerable, unjust, and without warrant, they concluded thus: "Under these circumstances unless your Excellency coincides with us, we dare not impose a general tax, knowing with what abhorrence every member of our community holds the idea of a partial representation."

A second time did the governor ask advice of his council, and again did they, in a carefully considered response, reiterate the opinion expressed on a former occasion.[2]

The application for authority to issue writs of election for the four parishes was at first refused by the king,[3] and the matter

[1] See *Answer of the Governor to the Address of the Commons House of Assembly*, November 16, 1769.

[2] See *Address of the Council to the Governor*, dated March 12, 1770.

[3] See *Letter of the Earl of Hillsborough to Governor Wright*, dated Whitehall, July 31, 1770.

remained in abeyance until the 11th of December, 1770, when, upon further reflection, his majesty signified his willingness that those parishes should be represented in the Commons House of Assembly. He also empowered the governor, if so requested by the council and assembly, to assent to a bill "allowing a right of voting to the proprietors of Town Lots paying a tax equal to the tax on 50 acres of land, to which property the qualification of an elector is at present confined: secondly, directing the mode of voting to be *by ballot*, which now is *viva voce:* and thirdly, qualifying persons possessed of £300 value in houses, buildings, town lots, or any lands in any part of the Province, to serve as Representatives, whereas the qualification is now confined to an ownership of 500 acres of land."[1]

Constant was the struggle and frequent were the disagreements between the Governor and Council and the Commons House of Assembly. The latter body, coming directly from the people and reflecting the revolutionary sentiments of the masses, was always tenacious of its rights, intolerant of executive interference, and aggressive in its assertion of legislative power and political freedom. Although time and again dissolved because, in the judgment of the Crown officers, the Lower House of Assembly was arrogating to itself the prerogatives of Parliament, defying the laws of England, and exercising privileges beyond those accorded by royal instructions, each new House of Assembly surpassed its predecessor in an exhibition of independent thought and action, and manifested signs more emphatic of a determination to control the political fortunes of the province.

Upon the convocation of the General Assembly of 1770, Dr. Noble W. Jones, son of Colonel Noble Jones, whose name and services had been intimately and honorably associated with the colony of Georgia from its earliest inception under Oglethorpe, was elected speaker of the Lower House. So pronounced and influential had been his views and conduct in opposition to some of the oppressive acts of Parliament that Governor Wright, exercising the power vested in him, refused to sanction this choice and ordered the House to select another speaker.

Incensed at the affront offered to him who has been aptly styled "one of the morning stars of liberty in Georgia," and resenting what they deemed an unwarrantable interference with

[1] See *Letter from the Lords of Trade to the King*, dated Whitehall, November, 23, 1770. *Letter from the Earl of Hillsborough to Governor Wright*, dated Whitehall, December 11, 1770.

the power resting solely with them to nominate their own presiding officer, the members of the House passed resolutions complimentary to Dr. Jones, and declared "that the sense and approbation this House entertain of his conduct can never be lessened by any slight cast upon him in opposition to the unanimous voice of the Commons House of Assembly in particular and the Province in general." Criticising the action of the executive they resolved "that this rejection by the Governor of a Speaker, unanimously elected, was a high breach of the privileges of the House, and tended to subvert the most valuable rights and liberties of the people and their representatives." This bold assertion the council was pleased to stigmatize as "a most indecent and insolent denial of his Majesty's authority," and the governor, wielding the only punitive weapon at command, dissolved the assembly on the 22d of February, 1770.[1]

Having purchased valuable lands, introduced many negro slaves, and settled several plantations in the province, anxious to devote some time to the advancement of his private affairs, and wishing to visit England, Governor Wright, on the 3d of July, 1769, applied for a leave of absence for a year; that leave to become operative not sooner than the spring of 1770.[2] In submitting this application he remarked to the Earl of Hillsborough: "Mr. Habersham, the Secretary of the Province, who is the President, or eldest Councillor, is a gentleman of property, *no Liberty Boy*, but a firm friend to Government, and a very worthy, honest man. He has been in the Province from nearly its first settling, and must therefore know the people, and I think him of sufficient ability to fill up a short vacancy, especially when things are in an orderly way."

This request was granted, and a royal license issued on the 2d of November, 1769.[3] In forwarding it to Governor Wright the Earl of Hillsborough said: "I hope that Mr. Habersham's conduct in the administration of government during your absence will justify the favorable report you made of him, and that it will not be found necessary to send out a Lieutenant Governor." No better selection could have been made on the part of the Crown.

It was not until the 10th of July, 1771, that Governor Wright availed himself of his leave of absence.[4] Three days afterwards

[1] See Stevens' *History of Georgia*, vol. ii. p. 71. Philadelphia. 1859.

[2] See *Letter of Governor Wright to the Earl of Hillsborough*, dated Savannah, July 3, 1769.

[3] *Letter of the Earl of Hillsborough to Governor Wright*, dated Whitehall, 2d November, 1769.

[4] See *Letter of James Habersham to the Earl of Hillsborough*, dated Savannah in Georgia, 3d August, 1771.

Mr. Habersham took the usual oaths of office and entered upon the discharge of the gubernatorial duties. His official title was "President and Commander-in-chief of his Majesty's Province of Georgia, Chancellor, Vice-Admiral, and Ordinary of the same for the time being." His personal acquaintance with the inhabitants, his thorough knowledge of the history, development, and wants of the colony, his long experience in the conduct of its public affairs, the purity of his character, and the high esteem in which he was held, admirably fitted him for this responsible position. He was also the firm friend of law, order, and of the British Constitution. Of his loyalty to the king there could be no doubt, and all his avowed affiliations were, at the time, with those who obeyed the acts of Parliament and maintained their allegiance to the throne of England.

It excites no wonder that many of the wealthiest and most influential citizens of Georgia should have tenaciously clung to the fortunes of the Crown and sincerely deprecated all idea of a separation from the mother country. Of all the American colonies this province had subsisted most generously upon royal bounty, and had been the recipient of favors far beyond those extended to sister plantations.

CHAPTER VII.

IRISH IMMIGRATION. — QUEENSBURY. — ANTHONY STOKES. — NOBLE W. JONES. — ARCHIBALD BULLOCH. — GOVERNOR HABERSHAM'S ADDRESS TO THE GENERAL ASSEMBLY. — DISSOLUTION OF THE ASSEMBLY. — COMPOSITION OF THE ASSEMBLY. — GOVERNOR WRIGHT COMPLIMENTED WITH A BARONETCY. — JAMES HABERSHAM AND NOBLE W. JONES. — CESSION OF LANDS, AT AUGUSTA, IN 1773, BY THE CREEKS AND CHEROKEES IN EXTINGUISHMENT OF THE DEBTS DUE BY THEM TO THE TRADERS. — GOVERNOR WRIGHT'S PROCLAMATION COMMENDING THE COLONIZATION OF THE NEWLY ACQUIRED TERRITORY. — FORT JAMES. — DARTMOUTH. — PETERSBURG. — HOSTILITIES INAUGURATED BY THE CREEKS. — SHERRALL'S FORT ATTACKED. — BIG ELK. — HEAD TURKEY MURDERED. — PEACE PROCLAIMED AT A CONGRESS HELD IN SAVANNAH IN OCTOBER, 1774. — TREATY STIPULATIONS. — GALPHIN'S CLAIM. — GEORGIA IN 1773. — CIVIL ESTABLISHMENT OF THE COLONY. — JONATHAN BRYAN'S EFFORT TO PURCHASE THE "APPALACHE OLD FIELDS."

IN March, 1768, the General Assembly passed an act "encouraging settlers to come into the Province." That substantial aid might be rendered to those who sought to avail themselves of its provisions, the sum of £1,815 sterling was appropriated to be disbursed in certificates by commissioners named for that purpose. Contrary to the expectation of the colonists this act was returned disapproved by the king. Meanwhile, resting upon the inducements extended in that bill, and encouraged by Messrs. Galphin and Rae, one hundred and seven Irish Protestants came to Georgia in December of that year. It was necessary that they should be cared for. The public faith of the colony, as expressed in the intentions of the legislature, stood pledged for their accommodation and assistance. During the recess of the legislature the governor and council, without hesitation, provided homes for them in the fork of Lambert Creek and the Great Ogeechee River, looking to the next General Assembly to reimburse them for all expenditures in this behalf, and in feeding these new-comers until they could clear their farms and plant and gather their crops. The town which they there builded was called Queensbury, and DeBrahm describes it as "inhabited by

about 70, and its environs by above 200 families, mostly Irish, from which it is generally called the Irish settlement." [1]

Greene, the attorney-general, having resigned, James Hume was appointed as his successor. Charles Watson, for many years the efficient clerk of council, died, and Mr. Alexander Wylly was chosen in his stead. Anthony Stokes, an accomplished jurist and an honest man, was now the chief justice of the colony. Under his supervision the laws of the land were impartially and ably administered. The province prospered. Good order prevailed. Person and property were secure. An occasional alarm on the confines, a quarrel here and there in the Indian territory between some trader and the natives, was all that disturbed the apparent calm. And yet the heart of Georgia was deeply stirred. Earnest and emphatic were the protests against the encroachments of Parliament, but they were one and all couched in terms most respectful. In the language of Governor Wright, the public meetings, although presided over and managed by "Liberty Boys," were "without noise or disturbance," and the province was in every respect orderly and tranquil.[2] There still lingered a love for the home government, an affection for the king, and a strong hope that the grievances complained of would be speedily and effectually redressed by England. Many there were who believed that the ministry did not seriously contemplate the distress and oppression of America. Even the most violent in their strictures and resolves did not yet anticipate an open rupture, or prophesy a separation from the mother country. At first retaliatory measures were devised and supported, not so much with a view to an assertion of independence as with the intention of forcing the ministry to a reconsideration of obnoxious acts, and of preserving unimpaired rights which were esteemed inviolable. The idea of a distinct nationality, however, was expanding; and, as revolutions never turn backward, agencies and sentiments were at work which were destined at no distant day to rob the British Crown of some of its fairest jewels. In his famous speech on conciliation with America, Burke thus alludes to these influences: "Then, Sir, from these six capital sources, of descent, of form of government, of religion in the Northern provinces, of manners in the Southern, of education, of the remoteness of situation from the first mover of government, from all these causes a

[1] *History of the Province of Georgia*, etc., pp. 25, 26. Wormsloe. MDCCCXLIX. *Minutes of Council*, December 9, 1768.

[2] *Letter of Governor Wright to the Earl of Hillsborough*, dated September 20, 1769.

fierce spirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increased with the increase of their wealth: a spirit that, unhappily meeting with an exercise of power in England which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us."[1]

The first session of the eighth General Assembly of the province of Georgia occurred at Savannah on the 21st of April, 1772. In perfecting its organization the Commons House elected Dr. Noble Wimberley Jones as its speaker. Officially informed of this action, Governor Habersham responded: "I have his Majesty's commands to put a negative on the Speaker now elected by the Commons House, which I accordingly do: and desire that you will inform the House that I direct them to proceed to a new choice of Speaker."

After some time a message from the House was brought by Mr. Bulloch and Mr. Farley to his excellency, acquainting him with the fact that the Commons House "had proceeded to a second choice of a speaker and had reëlected Noble Wimberley Jones, Esq., and desired to know when his Honor would please that the House should attend him to present their Speaker." In reply the governor again disapproved of the choice the House had made, and directed that body to "proceed to the selection of some other person as speaker."[2]

In the afternoon of the following day a committee from the House, consisting of Mr. LeConte and Mr. Farley, waited upon the governor and communicated to him the election of Archibald Bulloch as speaker of the Commons House. This choice having been approved, and the General Assembly being ready to proceed to business, Governor Habersham delivered the following address: —

"His Majesty having been pleased to grant his Excellency Governor Wright leave of absence to go to Great Britain, the government of this Province, on his Excellency's departure, devolved upon me. I am very sensible of the high and important trust committed to me, which calls for the utmost exertion of my best abilities to discharge so as to approve myself to our most gracious Sovereign by promoting the true interest and prosperity of his good subjects in this Province, to effect which you may depend on my most sincere and unwearied endeavours.

[1] *Works of Edmund Burke*, vol. ii. p. 126. Boston. 1866.

[2] See *Journals of the House.*

My long residence in this Province, and the strong attachment I must have for its welfare from motives obvious to you, must make it extremely grateful to me to be in the least instrumental in furthering its growing prosperity, in which I am persuaded I shall have the candid advice and assistance of you Gentlemen, and of every Friend of this Country." He then proceeded to inform the General Assembly that he "had it in command from the King" to signify his majesty's disapprobation of the conduct of the last assembly in denying the right of the governor to negative the choice of a speaker. After bringing to the notice of the General Assembly several needful laws which required reënactment, and having advised the members that the Creek Indians had responded to the demand made upon them and publicly executed the Indian who murdered John Carey of Queensborough, he invited the members, by suitable legislation, to maintain the public faith and credit of the province. The address concluded with the following exhortation: "Suffer me, Gentlemen, to persuade you to pursue peace and harmony, and carefully to avoid all unnecessary altercations which can only tend to delay business and destroy that candour, unanimity, and confidence so necessary to promote the general good for which end you meet in General Assembly; and you may depend upon my hearty concurrence in every measure that may conduce to the service of his Majesty and the welfare of the Province, which are inseparable." In responding to this speech the assembly, after thanking the governor for his courteous words, expressed great satisfaction that the government of the province had, "in the absence of Governor Wright, devolved upon a Gentleman of your Honour's well known character and attachment to the real welfare of Georgia, from whence we entertain the firmest confidence that to promote its growing prosperity will be the favorite object of your administration; and you may be assured that we shall most readily and cheerfully concur with your Honour in every measure that may contribute to so desirable an end."

These pleasant promises of amicable relations between the governor and the assembly were speedily broken. Upon inspecting the journal of the House, Governor Habersham ascertained that, in the face of his second disapproval, the House had a third time elected Dr. Jones as speaker, and that it was only in consequence of his declining to accept the position that the members made choice of Mr. Archibald Bulloch. He thereupon, on Saturday, the 25th of April, sent in this message: —

"*Mr. Speaker, and Gentlemen of the Assembly.*

"I am extremely sorry to find by your Journals that some very exceptionable minutes are entered. I particularly mean your third choice of Noble Wimberly Jones Esqr as your Speaker, upon whom I had, agreeable to his Majesty's express instructions, twice put a negative, and that your choice of your present Speaker *was only in consequence of his declining the chair.* If this minute is to stand upon your Journals I have no choice left but to proceed to an immediate dissolution. I desire therefore that you will come to a present and speedy determination to recede from it. If you do, I shall, with the most unfeigned satisfaction, proceed to business which you cannot but be sensible will be of the highest advantage to the Province. I shall expect your immediate answer to this message that my conduct may be regulated by it: and shall for that purpose remain in the Council Chamber."

To this plucky communication the House promptly responded:—

"*May it please your Honour.*

"We his Majesty's most dutiful and loyal subjects, the Commons of Georgia in General Assembly met, are very unhappy to find by your message to us of this day that any Minutes entered on our Journals should be construed by your Honour in a manner so very different from the true intent and design of this House. Conscious we are, Sir, that our third choice of Noble Wimberly Jones Esqr as our Speaker was not in the least meant as disrespectful to his Majesty, or to you his representative, nor thereby did we mean to infringe on the just prerogative of the Crown. We have seriously reconsidered that particular minute which seems to have given your Honour so much offence, and cannot perceive wherein it is contrary to the strict mode of Parliamentary proceeding, or repugnant to anything communicated to us by your Honour. We were hopeful that no further impediment would have arisen to retard the urgent business of the public, and still flatter ourselves that we may be permitted to do that justice to our constituents which they have a right to expect from us: and we sincerely assure your Honour that it is our hearty wish and desire to finish the business, by you recommended to us, with all harmony and dispatch.

ARCHIBALD BULLOCH, *Speaker.*"

Governor Habersham thereupon summoned the House before him in the Council Chamber and, after reviewing the whole affair, peremptorily dissolved the assembly.

The members composing the Commons House were Jonathan Bryan, Noble Wimberley Jones, Archibald Bulloch, and William Young for the town and district of Savannah; Nathaniel Hall for the parish of St. George; David Zubly for the village of Acton; Benjamin Andrews, John Stevens, and Audley Maxwell for Midway and the parish of St. John; Peter Sallins for the parish of St. Patrick; Edward Barnard, Alexander Inglis, and Thomas Shruder for Augusta and the parish of St. Paul; Thomas Carter for the parish of St. David; Henry Bourquin for the district of Little Ogeechee in the parish of Christ Church; William Ewen, Stephen Millen, and John Stirk for the town and district of Ebenezer in the parish of St. Matthew; Samuel Farley for the islands of Wilmington, Tybee, Skidoway, and Green Island in the parish of Christ Church; James Spalding for the parish of St. James; and William LeConte and Jonathan Cockran for the parish of St. Philip. George McIntosh, elected for the parish of St. Andrew, took his seat on the 24th of April; and George Baillie for the parish of St. Thomas, and John Thomas for the parish of St. George, declined to serve as representatives.[1]

In a long letter to the Earl of Hillsborough, dated the 30th of April, 1772, Governor Habersham dwells upon the injurious effects of this dissolution of the assembly, and yet demonstrates its necessity in obedience to existing instructions from the Crown. He also comments freely upon the conduct of Dr. Jones and his friends in "opposing the public business" under the "specious pretence of Liberty and Privilege." "My Lord," he continues, "it is very painful to me to say or even to insinuate a disrespectful word of any one; and every person who knows me will acknowledge that it is contrary to my disposition to dip my pen in gall, but I cannot help considering Mr. Jones' conduct for some time past in opposing Public Business as very ungrateful and unworthy a good man, as his family have reaped more advantages from Government than any I know in this Province. He was several years first Lieutenant and Surgeon of a Company of Rangers paid by the Crown, and in these capacities met with great indulgence. His father is the King's Treasurer and, if I am not mistaken, reaps very considerable emoluments from it." The truth is, while Governor Habersham was loyally seeking to carry out the instructions of the king and to support the authority of Parliament, Dr. Jones was in active sympathy with those who esteemed taxation without representation as wholly unau-

[1] See *Journals of the Commons House of Assembly.*

thorized, and were very jealous in the maintenance of what they regarded as the reserved rights of the colonists and the privileges of provincial legislatures. Both were true men, but they viewed the situation from different standpoints. An honored servant of the Crown, Mr. Habersham was confronted with peculiar duties and stringent oaths. Dr. Jones, on the contrary, as a representative elected by the people, was free to give expression to his own and the sentiments of his constituents at an epoch when American liberty was being freely proclaimed. Of each it may be aptly spoken, he was pure in purpose, wise in counsel, and fearless in action, enjoying, in a conspicuous degree, the esteem and the affection of the public. But their political paths henceforward diverged. The one adhered to his allegiance to the Crown and shared its fortunes, while the other cast his lot with the Revolutionists and became a favorite leader of the patriot band.

Although Governor Habersham's conduct in dissolving the assembly was fully approved by the king, the effect produced upon the colony was perplexing and deleterious. The treasury was empty and no tax-bill had been digested. Important statutes were expiring by their own limitations, and no new laws were framed for the orderly conduct of the province. The people viewed the dissolution as an arbitrary exercise of imperial power, as a violent suppression of the general preference, as an unjustifiable interference with legislative privilege. From across the sea there came no redress of grievances. At home the shadows multiplied, and the waves of popular unrest, disquietude, and passion chafed more sullenly than ever against the barriers which the ministry had erected.

President Habersham failed to interpret the signs of the times; for as late as the 12th of January, 1773, he informed the Earl of Dartmouth that the province was "enjoying perfect tranquillity." Its population was increasing and its agricultural products were multiplying in a most satisfactory ratio. Georgia was also on the eve of acquiring a most valuable addition to her territory.

The services of Governor Wright were recognized by the king who, on the 8th of December, 1772, complimented him with a baronetcy. About the middle of February, 1773, he was again in Savannah where he without delay resumed his gubernatorial office. As on his departure, nineteen months before, affectionate addresses had been presented to him by the council, the bench, the merchants, and the public officers, so now, on his return,

tokens of respect were freely tendered, and he was received by the Georgians with great friendliness and rejoicing. Notwithstanding the differences of opinion which existed between Sir James and some of the leading minds of the colony in reference to the late measures of Parliament, there was a universal feeling that he had honestly discharged his duty to the king, and had exhibited qualities inspiring respect and commanding esteem.[1]

For some time the Cherokees had been increasing their indebtedness to the traders. Each year did they become less able to discharge their accumulating obligations. The Creeks were also in a similar situation. The traders clamored for payment, and the Indians offered to make a cession of lands in settlement of these debts. Various negotiations and talks ensued in regard to the matter, which was finally adjusted at a congress held in Augusta on the first of June, 1773. Georgia was represented by her governor, Sir James Wright, and the Cherokees and Creeks appeared in the persons of several chiefs who were empowered to bind their respective nations. The Honorable John Stuart, his majesty's sole agent and superintendent of Indian affairs in the Southern District of North America, was also present.

The deed of cession then executed reads as follows: —

"Whereas the Cherokee Indians did some time ago propose to the aforesaid Governor and the Superintendent to cede unto his most sacred Majesty, King George the Third, a certain tract of land situate, lying, and being within the Province of Georgia on the river Savannah above Little river, and extending up Savannah river above Broad river and cross the country towards the Oconee river, which the said Cherokee Indians claimed as their right and property:

"And whereas the said Cherokee Indians having considered of their great poverty and distress, and finding it to be out of their power to pay the debts due from them to their traders in the usual way by hunting and getting deer skins, declared themselves under the necessity of making the above proposition and requested the said Governor and Superintendent to lay their distressed situation before his Majesty and to implore that he would be graciously pleased to accept of a cession of the said lands from them, and that the same might be appropriated towards the payment of their debts justly due to the unfortunate people who had been trading amongst them since the peace made with them,

[1] See Stevens' *History of Georgia*, vol. ii. p. 74. Philadelphia. 1859.

which was in the year 1761, that so their said traders might be enabled to furnish them with goods as usual:

"And whereas the distressed state and condition of the said Indians, together with their proposition and request as aforesaid, having been fully represented unto his Majesty, who, being graciously disposed to relieve the said Indians from their necessities and distress and to promote and preserve peace and good order between and amongst them and his Majesty's subjects trading with them, was pleased to consent to receive a cession of the said lands for the purposes aforesaid, and hath given instructions to his said Governor and Superintendent to hold a Congress with them and to take a cession of the said lands accordingly:

"And whereas the Creek Indians do also claim to have a right and property in the said lands claimed by the Cherokee Indians and proposed to be ceded by them as aforesaid:

"And whereas the said Creek Indians, in consideration of the payment of the debts justly due from them to the persons trading with them since the above period, have also consented and agreed to join in the said cession and also to add some further lands to those proposed to be ceded by the Cherokee Indians:

"And whereas his Majesty hath been also pleased to approve of the same and to direct that a cession of all the said lands be received and taken jointly from the Cherokee and Creek Indians:

"It is therefore consented and agreed by and between the several Indian Chiefs present, and who have signed this treaty of cession, as well Creeks as Cherokees, and who declare themselves to be fully and absolutely authorized and empowered by the several Kings, Head-men, and Warriors of the Upper and Lower Creeks, and of all the Cherokee Country, for and in behalf of themselves and their several nations and tribes in manner and form following, that is to say: We the said Indian Chiefs, as well Creeks as Cherokees, do freely offer and request that the said Governor and Superintendent, in behalf and for the use of his most sacred Majesty King George the Third, and to his successors forever, will accept of a grant and cession of the several lands hereinafter mentioned and described, that is to say: To begin at the place where the Lower Creek path intersects Ogguechee river, and along the main branch of said river to the source of the southermost branch of said river, and from thence along the ridge between the waters of Broad river and Occonee river up to the Buffaloe Lick, and from thence in a

straight line to the Tree marked by the Cherokees near the head of a branch falling into the Occonee river, and from thence along the said ridge twenty miles above the line already run by the Cherokees, and from thence across to Savannah river by a line parallel with that formerly marked by them.

"And the Creeks, by Saleachee and Taleachee and other Head-men of the Lower Creeks, also cede from the present boundary line at Phinholoway Creek on the Alatamaha river, up the said river to an island opposite to the mouth of Barber creek, and from thence cross to Ogueechee river opposite to the road about four miles above Buckhead where a canoe ferry used to be kept.

"And we the said several Indian Chiefs, for ourselves and our several nations and tribes of Indians, do hereby solemnly declare that we do fully and clearly understand every part of this Treaty and Cession, it having been fully interpreted and explained to us, and that the same is made at our own requests and for our own benefit and advantage, and for and towards the payment and satisfaction of the several debts which are justly due and owing from us to the several persons who have traded and supplied us with goods as aforesaid. And we, the said Creek Indian Chiefs and Cherokee Indian Chiefs, in consideration aforesaid, do by these presents in the most solemn manner for us and our several nations and tribes fully and absolutely give, grant, and confirm unto his most sacred Majesty, King George the Third, all and singular the lands hereinbefore mentioned and described. And we do, for ourselves and our nations and tribes as aforesaid, and for each and every of us, and them, surrender and yield up all and each and every of our respective rights, titles, interest, claim, and property of and in the aforesaid lands unto his said Majesty King George the Third, to hold the same unto him and his successors forever. And we, the said Creek Indian Chiefs, do hereby fully and absolutely agree that from henceforth the above lines and boundary shall be the mark of division of lands between his Majesty's subjects in the Province aforesaid and us the said Creek Indians, notwithstanding any former agreement or boundary to the contrary, and that we will not disturb any of his Majesty's subjects in their settlements or otherwise within the lines aforesaid.

"In consideration whereof it is agreed on the part of his Majesty that the monies arising by sale of the lands ceded as aforesaid, after defraying the expence of this Congress and such other

charges and expences as will necessarily arise in carrying this measure into execution, shall be applied towards the payment and satisfaction of such debts as shall appear to be justly due and owing from the Indians to their traders as aforesaid."

Simultaneously with the formal execution of this cession and treaty, releases were taken from the Indian traders holding claims against the Indians by which, in consideration of the surrender of this territory to his majesty, and in anticipation of receiving partial or entire payment of the several debts due to them by the Creeks and Cherokees from the moneys to be realized upon and from the sale of these lands, they absolutely acquitted and discharged the Indians from every demand whatsoever. Prominent among those signing these releases were George Galphin, James Jackson & Co., Martin Campbell & Son, Woodgion, Rae, Whitefield & Co., Edward Barnard, Waters, James Grierson, James Spalding & Co., and Edward Keating.

The aggregate indebtedness existing on the part of the Indians was estimated at from £40,000 to £50,000. The territory thus acquired embraced over two millions of acres of land, most of it well watered, and adapted to the cultivation of indigo, cotton, tobacco, corn, wheat, etc. Wilkes, Lincoln, Taliaferro, Greene, Oglethorpe, Elbert, and other counties were subsequently carved out of it. Goodly was the region, and offering many attractions to immigrants. In a memorial addressed to the king, Governor Wright submitted the most florid estimate of the benefits which would accrue to the province from the settlement of these lands.

In order to engage the attention of the public and to attract settlers for this newly acquired and fertile domain, his excellency, on the 11th of June, 1773, issued a proclamation in which, after describing the cession and making known the fact that surveyors were actually engaged in running out and marking the boundaries, he states that the territory would "be parceled out in tracts varying from 100 to 1,000 acres the better to accommodate the buyers;" that in conformity to his majesty's instructions "one hundred acres would be sold to the master or head of a family, fifty acres additional for the wife and each child, and the same number of acres for each slave owned and brought in by the purchaser;" that in "further encouragement of the settling of the said lands the masters or heads of families will be allowed to purchase 50 acres for each able bodied white servant man they shall bring in to settle thereon," and also "25 acres for every woman servant from the age of 15 years to 40 years;"

that all persons were at liberty to come into the province and view these lands, and, as soon as they were surveyed, to make choice of such of them as they desired to purchase and settle upon; that grants would be executed on the most moderate terms, and that for a period of ten years the parcels purchased would be exempt from the payment of quit rents; that the lands offered were "in general of the most fertile quality and fit for the production of wheat, indico, Indian corn, tobacco, hemp, flax, &c. &c. &c;" that they comprised "a pleasant and very healthy part of the Province;" that they were "extremely well watered by Savannah River, Ogechee River, Little River, and Broad River, and by a great number of creeks and branches which ran throughout the whole country and emptied themselves into the aforesaid rivers;" that there was an abundance of springs, and that the water was very fine; that Little River, where the ceded lands began, was but twenty-two miles above the town of Augusta; that at this place ready market would always be found for all produce and stock; that if Savannah was preferred as a point for trade there was easy transportation down the Savannah River, while a good wagon road led from Little River to that commercial metropolis of the province; that a fort would speedily be built and garrisoned within the ceded lands for the protection of the immigrants, and that all vagrants and disorderly persons would be promptly and severely dealt with; and finally, that these lands adjoined a well-settled part of the province, where law, justice, and good government obtained.

A plan of settlement was carefully arranged, and Colonel Bartlett and Messrs. Young, Holland, and Maddox were appointed commissioners and vested with ample powers to negotiate sales. They were authorized to place a valuation upon each tract according to its quality. Not more than five shillings per acre were to be charged in any event, and five pounds sterling were to be paid as entrance money for every hundred acres. To facilitate the business, land courts were opened in Savannah, in Augusta, and at the confluence of Broad and Savannah rivers. At this last-named locality Captain Waters and his company were stationed. Here Fort James was builded. Its stockade was an acre in extent. Within this inclosure were officers' quarters and barracks for the garrison, consisting of fifty rangers, well mounted, and armed each with a rifle, two dragoon pistols, a hanger, a powder-horn, a shot-pouch, and a tomahawk.[1] In each angle of this

[1] Bartram's *Travels through North and South Carolina, Georgia*, etc., pp. 321, 322. London. 1792.

square stockade was erected a block-house in which swivel guns were posted. These structures rose one story above the curtains, which were pierced for small arms. The stockade crowned a gentle eminence in the fork of the Savannah and Broad, equidistant from those rivers and from the extreme point of land formed by their junction. On the peninsula above the fort was located the town called Dartmouth in honor of the earl whose influence had been exerted in persuading his majesty to favor the cession of this recently acquired territory. After a short and by no means robust existence Dartmouth gave place to Petersburg, which, during the tobacco culture in Georgia, attracted to itself a considerable population, and was regarded as a place of no little commercial importance.[1]

Settlements were rapidly formed on the Ogeechee and north of Little River, and the ceded lands were eagerly sought after. The Quakers who, through fear of the Indians, had abandoned their homes in the southern portion of what is now Columbia County, returned and diligently resumed their agricultural operations. The outlook for the speedy population of this new domain was most encouraging when the pleasing prospect was suddenly enveloped in doubt and disaster by the unexpected hostility of the Creeks.

In January, 1774, a party of Lower Creek Indians wantonly attacked Sherrall's fortified settlement, in which were five white and three negro men and twelve women and children. Approaching stealthily, the Indians fired upon the men who were at work upon the fort. Sherrall and two others fell. The rest retreated into the houses where, encouraged by the valor of a negro who rushed upon an Indian and shot him through the head, they entered upon a vigorous defense. Thrice did the savages set fire to the structures, and as often were the flames extinguished. Two of the neighbors, attracted by the firing, approached. Discovered by the Indians they were pursued. Succeeding, however, in making their escape, they notified Captain Barnard of the affair. Hastily collecting about forty men, he advanced to the relief of the besieged and, attacking the Indians in the rear, drove them into the swamp. Seven persons had been killed and five wounded within the fort. Of the Indians it is known that five were slain. Their wounded were carried off by their companions.

A few days afterwards a skirmish occurred between twenty-five

[1] *Dead Towns of Georgia*, pp. 233, 234. Charles C. Jones, Jr. Savannah. 1878.

white settlers and one hundred and fifty Indians. Grant, Weatherford, Hammond, and Ayres were killed, and a fifth white man was wounded who died the next day at Wrightsboro. Several private forts and dwellings, which had been precipitately abandoned by their owners, were reduced to ashes by the savages. Collecting some men, Captain Few and Lieutenants Williams and Bishop buried the bodies of those who had fallen in the recent action. Lieutenant Samuel Alexander, with a few militia, attacked and dispersed a party of Indians who had become separated from the main body. Two of the Creeks were killed. For having thus, without authority, punished these Indians, Alexander was rebuked by Colonel Rae, an agent of Indian affairs. Apprised of the circumstances, however, Rae justified Alexander's conduct, and expressed the opinion that when the chiefs of the nation should be made acquainted with the entire transaction they would note the provocation and acquiesce in the propriety of the retaliation.

This sudden and disastrous invasion of the recently settled district caused general alarm and distrust. Many retreated to places of security. Forts were constructed on Savannah and Little rivers, and in them were deposited women and children, and personal property of special value. In cultivating their farms the husbandmen banded together for mutual protection.

By a messenger dispatched by Mr. George Galphin, a principal agent for Indian affairs and a trader high in the confidence both of the colonists and of the savages, to ascertain from the chiefs of the Lower Creeks whether they were inclined to peace or war, and to demand an explanation of the recent outrages, answer was returned that the incursion was unauthorized and that the disposition of the Creeks toward the inhabitants of Georgia was pacific.

Big Elk, the leader of the Creeks who attacked Sherrall's fort, finding that his nation was averse to entering upon a war with the English, invited the Cherokees to join him in an invasion of Georgia. This the Cherokees declined to do. On his way home that chief and his party killed and scalped three white men.

About the last of March, Head Turkey,[1] a leading mico of the Upper Creeks, accompanied by two chiefs and an Indian trader, visited the Lower Creek towns to prevail upon the inhabitants to make peace with the Georgians. It was consented that he should wait upon Governor Wright and submit overtures. On

[1] Called also Mad Turkey.

his way to Savannah he was murdered in Augusta by Thomas Fee, who sought revenge for a kinsman of his who, on the northern frontier, had been butchered by the Indians. This lawless act produced a profound sensation and stirred the hearts of the savages to wrath and vengeance. Fee fled into South Carolina and there sought protection. A reward of £100 sterling was offered by Sir James Wright for his apprehension. He was arrested and lodged in the prison-house at Ninety-Six. While there detained, an armed party came in the night-time, forced the jail, and set him at liberty.

Learning that Fee had been apprehended, and that he was in confinement, several of the Creek chiefs came to Savannah to witness his execution. Grievous was their displeasure when they ascertained that he had been forcibly released. When assured that Governor Wright's proclamation was still operative, that the governor of South Carolina had offered a further reward of £200 for his arrest, and that there was good reason to believe he would yet be brought to punishment for his crime, their wrath was measurably appeased. The governor then stated to the chiefs that within four months fifteen of his people had, without any provocation, been slain by the Creeks, and that eleven of the South Carolinians had, in like manner, been slaughtered on Long Cane. He thereupon demanded of them the blood of the Indians who had murdered these innocent colonists, and questioned the propriety of their asking that justice which they failed to accord. He assured them that the king of England, if he made a requisition for it, would send him a military force capable of exterminating the whole Indian nation, and that his amicable disposition and forbearance were proof positive that he did not desire war. He insisted, however, that the blood of his innocent people should no more be shed, and warned them that if hereafter the Indians either murdered or robbed his people he would exact atonement for every offense. On the other hand he stood pledged to make proper reparation for every injury of which they might justly complain. In the future the chiefs promised that their nation should maintain peace with the English. When about to depart, the governor ordered Captain Samuel Elbert, with his company of grenadiers, to escort them through the white settlements that no harm might befall them at the hands of the inhabitants.

During the absence of these chiefs from their nation several war parties crossed the frontiers of Georgia and committed theft

and murder. In a little while commissioners from the Upper Creek towns visited the governor and reported that their warriors had killed the leader and two of the men who had been guilty of these recent depredations.[1]

These difficulties were all happily terminated, and a general peace was established at a congress held in Savannah on the twentieth day of October, seventeen hundred and seventy-four. The contracting parties on behalf of Georgia were his excellency Sir James Wright, governor, the Honorable John Stuart, superintendent of Indian affairs in the Southern District and one of his majesty's councilors, and the Honorable Noble Jones, James Edward Powell, Lewis Johnston, John Graham, James Read, Clement Martin, Anthony Stokes, and James Hume, members of council. On the part of the Indians the treaty of amity was signed by seven kings and head warriors of the Lower Creeks, and by thirteen head men of the Upper Creek nation.

After reciting the existing treaties for the establishment and conservation of friendship between the races, after recounting the infractions which had of late occurred, notably in the murder of William White, his wife, and four children at his house near the head of Ogeechee River on the 25th of December, 1773, the unprovoked attack upon Sherrall's plantation in January, 1774, and the killing of Sherrall, four white persons, and two negroes, and the wounding of others, the murder of sundry white settlers, the robbery of houses, the theft of horses and cattle, and the retaliations which had been indulged in by the colonists, provision was made for the rendition of negro slaves and personal property eloigned, and for making full satisfaction by the execution of all murderers who were still at large so soon as they could be apprehended. Negroes escaping into the Indian territory were to be promptly returned, and the Indians were to refrain from trespassing upon the lands ceded to the Crown. Former treaties were solemnly ratified, entire good-will, peace, and friendship were pledged for the future, and all past offenses were mutually condoned.[2]

It excites no surprise that these incursions of the savages and the insecurity of the *New Purchase*, as it was called, materially

[1] See McCall's *History of Georgia*, vol. ii. pp. 9–13. Savannah. 1816. Governor Wright's talk to the head men and warriors of the Upper and Lower Creeks, Savannah, February 1, 1774. Governor Wright's proclamation of March 24, 1774.

[2] See this treaty in full in *Colonial Documents* from the State Paper Office, London, vol. v. pp. 160–171.

retarded the tide of immigration which at first turned towards these desirable lands. Confidence, however, was restored by the conclusions and covenants of the Savannah congress. Applicants for purchase soon reappeared in pleasing numbers, and those who had been driven from their partially improved homes returned and entered upon their labors with renewed hope of safety and success.

In progress of time, as the moneys realized from the sale of these lands were collected and it became proper to disburse them in liquidation of the claims which the English traders held against the Indians, Governor Wright, in view of the unsettled condition of political affairs, assumed the responsibility of paying such traders as were loyal to the Crown the full amount of their demands and of withholding payment from others whom he regarded as sympathizers with the cause of the Revolutionists. He exhibited like partiality in granting the lands themselves. Against George Galphin, and some others who opposed the oppressive measures of the British government, Sir James discriminated most unjustly. Although their claims were large, and of their justice there could be no question, compensation to them was absolutely refused. While, as a matter of policy, this conduct was approved by the ministry, it can scarcely be indorsed in the forum of equity and good conscience.

On the 6th of June, 1775, the demand of George Galphin was audited before the governor in council, approved for the sum of £9,791 15*s*. 5*d*., and made payable from moneys which should be realized upon the sale of the lands lately ceded to his majesty by the Cherokee and Creek Indians. By the fortunes of war this territory became the property of the State of Georgia. As early as 1780, the interest of such of the traders as proved themselves to be "friends to America" was admitted by Georgia. That among this number Galphin should be properly classed there can be no question. By the royal assembly which convened in Savannah only a short time before his death was he attainted of high treason, and denounced as the "Rebel Superintendent of Indian Affairs." Of his pronounced sympathy with the American colonies in their effort to rid themselves of English rule, of the value of the services rendered by him in behalf of Georgia during the Revolution when his extensive influence was exerted to the utmost in restraining the temper of the Creeks and in prevailing upon them to remain neutral in the struggle, and of the personal contributions he made to the new-born State,

sadly deficient in provisions, men, and munitions, General Howe, Judge Walton, Major Joseph Habersham, and other well-approved patriots have borne ample testimony. The tardy recognition of his claim was a reproach to law and a perplexing denial of justice.[1]

During her colonial days George Galphin may justly be ranked among the most influential and enterprising citizens of Georgia. Although his home and depot of supplies were for many years located at Silver Bluff, on the Carolina side of the Savannah River below Augusta, his affiliations were all with Georgia, and his principal intercourse was with her people and with the Indian nations dwelling upon her borders. In the colonization of the province he took an active interest. His commercial transactions extended as far as Charlestown and Savannah on the one hand, and St. Augustine, Pensacola, and Mobile on the other. Time and again did he advance supplies to the colony when at remote points they were required by those engaged in the public service. By William Bartram, who visited him in 1776, he is described as "a gentleman of very distinguished talents and great liberality, who possessed the most extensive trade, connexions, and influence amongst the South and South-west Indian Tribes." Those in authority often leaned upon him for aid and advice.

Long was Silver Bluff a place of general resort and of much commercial importance. Hence were the annual royal presents for the Indians frequently distributed. Hither did the Indians, from an extensive territory, repair to exchange their peltry and animals for articles of European manufacture. From this point did traders depart amply supplied for distant expeditions and long sojourns among the red men. Here were storehouses, cattle pens, and structures erected for the accommodation of the rude visitors. Barges plied regularly between Silver Bluff and Charlestown and Savannah, and the landing place was the resort of multitudes of Indian canoes, many of them coming from remote points. It was a busy scene in the midst of the wild woods and by the swiftly moving waters of the tawny-hued Savannah, — this constant arrival and departure of a picturesque trading population, this ever-recurring receipt and dispersion of goods, this ceaseless exchange of commodities. Over all watched the observant eye of the proprietor. So just was he in his dealings with the sons of the forest, and so extensive were his transac-

[1] For a history of this claim and its final collection, see White's *Historical Collections of Georgia*, pp. 246 *et seq.* New York. 1855.

tions with them, that he acquired an influence at once potent and far-reaching.

The years roll on, and an increasing population, overleaping stream and mountain barrier, fills the hills and valleys of a distant interior. Before its inexorable advance the red race retires, and upon its departure the occupation of the Indian trader here becomes obsolete. Bereft of its importance this post lapses into decay, and the locality becomes the home of departed memories, the abode of traditions, and the dwelling-place of the phantoms of things that were. The same bold river with restless tide hastening onward to mingle its waters with the billows of the Atlantic, the same overarching skies, the same potent sun, kindred forests and voices of nature, but all else how changed!

In a report on the condition of the province of Georgia, prepared by Governor Wright in response to certain inquiries propounded by the Earl of Dartmouth and dated on the 20th of September, 1773,[1] we are informed that the territory of Georgia within the Indian boundary line was supposed to embrace 6,695,429 acres. About one hundred and twenty thousand acres were improved and cultivated, and these were distributed among fourteen hundred plantations. Titles to 140,915 acres were granted by the trustees for establishing the colony of Georgia in America. Ninety-three thousand acres were held under grants from the governor of South Carolina, and all the rest, save a barony of twelve thousand acres claimed under a patent from the late Lords Proprietors of the Colony of South Carolina, was held under grants from his late majesty, and from King George III., witnessed by the respective governors of the province. These twelve thousand acres, constituting the barony, were claimed by Sir William Baker, whose title was disputed by certain soldiers of General Oglethorpe's regiment, who asserted that when that regiment was disbanded in 1748 and 1749 these identical lands were set apart to them by the trustees, and that they had remained in the ownership and occupancy of them and their descendants ever since.[2]

The courts of the province consisted of a "court of Chancery," and of courts of "General and Common Pleas," and of "Oyer and Terminer and General Gaol Delivery." The rules observed

[1] P. R. O., Am. and W. Ind., No. 235, printed in Volume iii. of the *Collections of the Georgia Historical Society*, pp. 157–179.

[2] See *Order of Council at the Court of St. James*, May 1, 1771, and accompanying petition of claimants.

in their conduct and the methods of procedure conformed to those in use in the courts of Great Britain.

"The trade of this Province," writes Sir James, "is principally with Great Britain, from whence we are supplyed with Linnens and Woolens of all Sorts, Iron ware of all sorts, Hats, Shoes, Stockings, and all sorts of Apparel: Tea, Paper, Paints, and a great variety of other articles, and altho' the Negroes are brought here immediately from Africa, yet the Returns in payment for them are made to Great Britain so that that may also be deemed as a part of our Trade with Great Britain, to which place we export Deer skins, Rice, Indico, Naval Stores and sundry other Articles. The annual amount of our Imports from Great Britain is computed at £76,322 on an average for three years past, besides the Negroes imported which, in the last year, amounted to twenty thousand pounds. And our exports to Great Britain only in the year 1772 amounted to £68,688.10.2. sterling. And besides this we are supplyed with Rum and Sugar from the West Indies, and also with Rum, Flour, and Biscuit and other Provisions &ca from the Northern Colonys. To the West Indies we send Rice, Corn, Pease, Lumber, Shingles, Cattle, Horses and Live Stock, also Barrelled Beef and Pork. But the Northern Trade is an injurious trade as they take but little of our produce and drain us of every trifle of Gold and Silver that is brought here by giving a price for Guineas, Moidores, Johannes's Pistols, and Dollars, far above their real and intrinsic value, so that we can never keep any amongst us. There is belonging to this Province that is owned and part owned here, five Ships, one Snow, seven Brigantines, thirteen Sloops and Schooners, and ten coasting vessels, in all to the amount of nineteen hundred and ninety tons, and trading boats that go up our rivers, and to which may belong about two hundred and twelve seafaring men. And we have entered and cleared at the Custom House in the Port of Savannah for the last year one hundred and sixty one sail of Vessels of different sorts, and at Sunbury fifty six: in the whole two hundred and seventeen, the Tonnage of which is computed at 12,124 Tons, and in all which Vessels there may be employ'd seventeen hundred seafaring men. In the year 1761 we only entered and cleared in the whole Province forty five vessels, the whole Tonnage of which amounted only to 1604 Tons, from which the increase of the Trade and Produce of this Province since that time is most evident."

The staple commodities of the province were rice, indigo, deer

skins, raw silk, pitch, tar, turpentine, beef, pork, Indian corn, peas, tobacco, staves, shingles, lumber of all sorts, live-oak for ship building, and a little hemp. To the West Indies cattle, horses, and other live stock were shipped. Bees-wax and beaver skins also formed articles of trade. The exports for five years past averaged £101,240 sterling.

Of the mineral resources of the province but little was then known, although the presence of iron ore of a rich quality had been detected beyond Little River. The white population of Georgia was estimated at rather more than eighteen thousand, while the number of negro slaves was computed at fifteen thousand. Two thousand eight hundred and twenty-eight white males between the ages of sixteen and sixty were enrolled in the militia and commanded by officers commissioned by the governor. Six regular musters were had in each year, and the power resided with the governor to summon to the field the entire military force of the colony should invasion, insurrection, or rebellion occur.[1]

The defenses of the colony continued to be in a pitiable condition. Fort George, on Cockspur Island, commanding the entrance to Savannah River, which, in 1762, was built of mud walls faced with palmetto logs, was in ruins, and its garrison consisted of only a subaltern officer and three men "just to make signals."

Of Fort Halifax, in the town of Savannah, erected in 1759 and 1760, and made of plank filled in with earth, "only two caponiers" remained.

The tabby walls were all that were left to remind the visitor of Fort Frederick, constructed by General Oglethorpe at Frederica, on St. Simon's Island. No soldiers had been stationed there since 1767, when the Independent Company was disbanded. When in April, 1767, the Rangers "were broke," Fort Augusta, in the town of Augusta, faced with three-inch plank, was abandoned. It had now fallen into decay. Such, also, was the condition of Fort Barrington, on the Alatamaha River. It originally consisted of "a large Caponiere inclosed round with Punchions."[2]

[1] See "Act for the better ordering of the Militia," assented to 29th of September, 1773. *Acts passed by the General Assembly of the Colony of Georgia*, 1755–1774, now first printed, pp. 260–283. Wormsloe. MDCCCLXXXI.

[2] For plans of Forts George and Barrington, see DeBrahm's *History of the Province of Georgia*, pp. 44, 45. Wormsloe. MDCCCXLIX.

Of the Indian nations resident within and adjacent to Georgia, the Choctaws were supposed to number seventy-five hundred, among whom were two thousand five hundred gun men. The Creeks, with their four thousand gun men, were set down at twelve thousand. The Chickesaws were conjectured to have four hundred and fifty warriors and an aggregate population of between thirteen and fourteen hundred. Three thousand gun men represented the military strength of the Cherokees, while the Catawbas, all told, could not number more than three hundred men, women, and children. No longer misguided by the French and Spaniards, these primitive peoples turned to the English for supplies and were largely influenced by the presents annually distributed among them. It was Governor Wright's impression that in the scale of civilization the Cherokees were half a century in advance of their neighbors the Creeks, who were the most treacherous of all these Indian nations.

The revenue applied to the support of the provincial government, etc., was raised from the king's quit rents, and by an annual tax on houses, lands, negroes, money at interest, stock in trade, and on some other specified articles. There was also a duty on rum imported from the West Indies and the northern colonies. The sum thus realized for the year 1773 amounted to £5,121 15*s*. 10½*d*. sterling.

The civil establishment of the province consisted of the following officers: —

His excellency James Wright, baronet, governor, appointed by his majesty. His salary was £1,000 sterling per annum, with perquisites amounting annually to some £319.

The secretary was the Honorable James Habersham, also appointed by the Crown, with a salary of £100. His official perquisites averaged annually £341. Besides these, his fees for recording deeds and other conveyances amounted annually to about £131. From these perquisites and fees, salaries of a deputy and clerks and incidental expenses, estimated at £350 per annum, were paid.

Anthony Stokes was chief justice. His salary was £500 sterling per annum, and his perquisites and fees of office did not annually fall short of £520 sterling. Associated with him were three assistant judges who were entitled to neither salaries nor perquisites. They held their appointments from the governor.

The receiver of quit rents, Sir Patrick Houstoun, baronet, appointed by the Lords of the Treasury, enjoyed a fixed salary of

£100 sterling per annum, and fees of office amounting annually to £71 sterling.

The surveyor general, Henry Yonge, also an appointee of the Lords of the Treasury, had a salary of £150 per annum. The gross fees of his office aggregated annually the sum of £373.

Charles Pryce, attorney general, appointed in obedience to his majesty's royal sign manual, received a salary of £150 sterling per annum, and his fees of office for prosecutions and every other kind of business amounted annually to the sum of £215 sterling. During the absence of Mr. Pryce, by the king's permission, James Hume, by appointment of the governor, acted in his place.

The provost marshal, Samuel Smith, appointed by the Crown at a salary of £100 per annum, resided in England. His duties were performed by an acting provost marshal, nominated by the governor, to whom the province paid an annual salary of £30. The fees earned by him in attending and recording elections, summoning juries, etc., amounted annually to £280 sterling.

James Edward Powell, judge of the admiralty, and appointed by the Crown, found his office worth not more than £10 per annum. William Spencer, register of the admiralty, was also an appointee of the Crown, and his position did not bring in more than £12 per annum. Andrew Elton Wells, commissioned in like manner, did not make more than £15 sterling out of his office of marshal of the admiralty.

Henry Preston and Charles Pryce, Jr., clerks of the Crown and Pleas, were appointed by the governor. They had no salary, but their fees amounted annually to £613 sterling. To the office of public or provincial treasurer no salary was attached, but that officer was allowed five per cent. upon the taxes received, and that percentage usually amounted to some £150 sterling per annum. Besides, his other fees of office did not fall short of £83 annually. The treasurer held his appointment from the governor.

Alexander Thompson, collector of customs at the port of Savannah, appointed by the Lords of the Treasury and Commissioners of Customs, was in the receipt annually of a salary of £60 sterling, and of fees of office amounting to £298.

William Brown, comptroller and searcher for the port of Savannah, appointed in the same manner as the collector, received as comptroller an annual salary of £50, and as searcher, £30 per annum. His fees as comptroller amounted annually to £70, and his fees as searcher to £90.

James Kitchen, collector of the port of Sunbury, held his appointment likewise from the Lords of the Treasury and Commissioners of the Customs, receiving an annual salary of £65 sterling, and enjoying fees of office to the amount, annually, of £90.

Isaac Antrobus, comptroller and searcher for that port, performed his duties by like authority. His salary was £60 per annum and the fees of his office amounted annually to £60.

William Haven, naval officer, appointed by the governor in obedience to the royal sign manual of his majesty, was allowed no specified salary, but his fees amounted to £154 7*s*.

Besides these were minor officers, such as country waiters, inspectors of tobacco, hemp, etc., appointed by the government, whose duties were light and their compensations trifling.

Alexander Wylly, clerk of council, holding his appointment from the governor, although not a salaried officer, received annually for his services in attending upon council and keeping its minutes, and for drawing land petitions, swearing parties, entering orders, and countersigning grants, £180 8*s*. 6*d*. sterling. As clerk of the Upper House of Assembly, his salary and allowances amounted annually to £70.

Another officer, appointed by the governor and allowed by the Crown an annual salary of £20, was Richard Cuningham Crook, the clerk of the Commons House of Assembly. For attending the House, recording bills, and copying its journals, he was annually paid £181 sterling. Clerk's hire and any incidental expenses connected with the discharge of his duties were payable out of this fund.

James Edward Powell, captain of Fort George, was paid by the province £10 sterling per month.

The officers of the troop of rangers for the protection of the settlers of the newly acquired territory were also under the pay of the colonial government.

Moses Nunez, an Indian interpreter, was allowed £50 per annum out of the contingent fund.

In the estimate for maintaining the civil establishment of the colony for the year ending June 24, 1774, aggregating £3,086, appear an allowance of £116 for the support of a minister of the Church of England and two schoolmasters, an appropriation of £200 to pay the salary of the agent selected to solicit the affairs of the province in England, an allowance of £50 to the pilot stationed at the mouth of the Savannah River, an annuity of £100 to Mr. Ottolenghe, superintendent of the late Filature at

Savannah, in consideration of his long and faithful services in promoting silk culture in Georgia, and an allowance of £500 for contingent expenses.

Such, in a word, was the financial, agricultural, commercial, military, and civil condition of Georgia, and this the list of the king's servants charged with the administration of public affairs, but a little while anterior to the epoch when the differences between England and her American colonies were submitted to the arbitrament of the sword.

Before narrating the stirring events which immediately antedated the inception of the Revolution, we pause for a moment to allude to a matter which, at the time, caused some uneasiness and provoked sharp comment.

Jonathan Bryan, Esq., in concert with some of the principal gentlemen of East Florida, procured from a number of the chiefs and head men of the Creek nation a lease for ninety-nine years of a large tract of land known as the "Appalache Old Fields," bounded "on the west by the Gulph of Mexico and the Appalachicola river, on the north by a line drawn from the point where the Chattahooche and Flint rivers unite, to the source of the St. Mary's river, and on the southwest by a line running thence to the Gulph of Mexico." To the grantors Mr. Bryan agreed to pay annually one hundred bushels of Indian corn, if demanded, at some convenient point within the bargained premises. The professed object of the grantee was to cultivate those lands, raise cattle thereon, and open a trading post for extensive commerce with the natives. To this deed of conveyance fifteen of the chiefs and head men of the Creeks attached their marks.

When the business of the congress which convened at Savannah on the 20th of October, 1774, was about concluded, Governor Wright produced this deed and ordered the interpreters to inform the Indians of the precise character and extent of the conveyance. He also confessed his astonishment that they, so tenacious of their lands whenever a request was made on the part of the government for a cession of them, should, for light consideration, have parted with so large a tract in favor of an individual. When made to comprehend the genuine purport of the deed, the Indians were filled with surprise. Of what subsequently transpired in the congress with regard to this affair, we are informed by Messrs. John Stuart, N. Jones, James E. Powell, Clement Martin, Junior, John Graham, Lewis Johnston, James Reid, and

James Hume, all of whom were present. Their account is substantially as follows:[1] —

Talechee, one of those who had put their names or marks to the deed, stated that when he and some others came down to designate the lines, Mr. Bryan, bringing with him some white men and an Indian woman named Maria, who could speak English, requested through her that there should be granted to him a spot of land where he could establish a cow-pen, cultivate corn, build a residence for himself, and open a store. He further said his understanding of the paper then presented was that it asked only for this, and contained a good talk to the Creek nation. When the deed was signed at Wood's Saw Mill, Mr. Bryan was informed that it must be carried to the Creek nation for confirmation. This had never been done.

The other Indians present "seemed much enraged." One of them declared he would not leave the house where the congress was in session until the deed was burnt. Others called aloud to tear it up; and one, in particular, expressed the opinion that if the paper was not destroyed the Creek nation would attach no credit to what had transpired in this convention.

At the governor's suggestion the instrument was not wholly destroyed, but the Indians were permitted to tear from it their seals and marks.

It appears that Mr. Bryan's object was to secure an extensive tract outside of the province of Georgia, and suitably located on some navigable stream, where he might engage in raising cattle on an extensive scale. He hoped also to attract many settlers, to build a town, and to promote the commercial prosperity of the region. He was restrained from putting forth similar exertions in Georgia because, in political sentiments, there existed a marked antagonism between himself and Governor Wright, who denounced his Florida scheme as one likely to beget "great confusion and bad consequences."

When the lease was executed, some at least of the Indian chiefs did not understand that they were conveying away, at a merely nominal consideration and for a period of ninety-nine years, a domain which, in the judgment of the superintendent of Indian affairs, embraced not less than five million acres of land. When they apprehended the magnitude and terms of the alienation, they violently repudiated it, and intimated that if the effort was made to claim and occupy the territory described in the

[1] See *Georgia Gazette*, No. 578. Wednesday, November 2, 1774.

deed they would resist even to the extent of open war. Finding that the Creek nation was averse to the conveyance, Mr. Bryan dropped the matter, and thus an affair, which excited much comment and promised to beget a deal of trouble, lapsed into nothingness and forgetfulness. Had Mr. Bryan carried his intention into effect and withdrawn himself from Christ Church Parish into the wilds of Florida, Georgia would have lost one of her purest, best, and most influential citizens, and the "Liberty Boys" a strong friend, a trusted adviser, and a brave leader.

CHAPTER VIII.

THE BOSTON PORT BILL. — COERCIVE MEASURES RESORTED TO IN THE CASE OF MASSACHUSETTS. — PUBLIC MEETING IN SAVANNAH. — ITS PROCEEDINGS. — MR. BRYAN RESIGNS HIS MEMBERSHIP OF COUNCIL. — GOVERNOR WRIGHT'S PROCLAMATION DENOUNCING UNLAWFUL ASSEMBLAGES. — MEETING OF THE 10TH OF AUGUST, 1774. — RESOLUTIONS ADOPTED AND PROMULGATED. — DIVISION OF POLITICAL SENTIMENT IN THE PROVINCE. — STRICTURES UPON THE MEETING OF THE 10TH OF AUGUST. — PROTESTS FROM ADHERENTS TO THE CROWN. — GEORGIA NOT REPRESENTED IN THE FIRST CONTINENTAL CONGRESS. — DECLARATION OF COLONIAL RIGHTS. — RESOLUTIONS AND ARTICLES OF ASSOCIATION OF ST. ANDREW'S PARISH. — GOVERNOR WRIGHT CONVOKES THE GENERAL ASSEMBLY. — ADDRESSES. — FAILURE OF THE FIRST PROVINCIAL CONGRESS. — ST. JOHN'S PARISH ACTS IN ADVANCE OF THE OTHER PARISHES. — DR. LYMAN HALL REPRESENTS THAT PARISH IN THE CONTINENTAL CONGRESS. — PECULIAR SITUATION OF THE COLONY OF GEORGIA.

THE popular current in England was setting strongly against the American colonies. The bill proposed by Lord North for closing the port of Boston and occluding the commerce of a town of perhaps the greatest consequence in the English dominions in America, was passed with astonishing unanimity. Absolute submission to Parliamentary enactment was demanded of the colonies, and until that was rendered the ministry was resolved to listen to no complaints, to adopt no measures for the redress of alleged grievances. "Obedience," cried the First Lord of the Treasury and Chancellor of the Exchequer, "obedience, not indemnification, will be the test of the Bostonians." "The offence of the Americans is flagitious," exclaimed Van. "The town of Boston ought to be knocked about their ears and destroyed. *Delenda est Carthago.* You will never meet with proper obedience to the laws of this Country until you have destroyed that nest of locusts." Although Burke and Dowdeswell spoke strongly against the bill, it passed without a division. In the House of Lords it underwent a fuller and fairer discussion, but even there it was unanimously adopted, and the king made haste to give it his royal approval.

This Boston Port Bill was but the first step in a system of coercive measures which the British ministry had now determined

to pursue. It was quickly followed, in April, 1774, by another act which provided that the provincial council of Massachusetts, previously elected by the representative assembly in accordance with charter privileges, should thereafter be appointed by the Crown; that the royal governor should be invested with the power of nominating and removing judges, sheriffs, and all other executive officers whose functions possessed the slightest importance; that jurymen, hitherto selected by the freeholders and citizens of the several towns, should in future be nominated and summoned by the sheriffs; that no *town-meetings* of the people should be convoked without permission in writing from the royal governor; and that no business or matter should be discussed at those meetings beyond the topics specified and approved in the governor's license.

Apprehending that tumults and perhaps bloodshed might ensue upon the first attempt to carry these new measures into execution, and not fully satisfied with the control which, by the second statute, they had usurped over the administration of justice and an expression of the popular will, the British ministers proceeded still further to insure impunity for their functionaries by framing a third act, which empowered the governor of the province, if he saw fit, to remit any parties indicted for murder or charged with capital offenses committed in aiding the magistracy of Massachusetts, for trial either to another colony or to Great Britain. In vain did Burke, Barré, and other liberal statesmen raise their warning voices against this measure of superfluous insult and injustice.

These three acts, sanctioned in rapid succession, were regarded in America as forming a complete system of tyranny. By the first, exclaimed the organs of popular opinion in the colonies, thousands of innocent persons are robbed of their livelihood for the act of a few individuals: by the second our chartered liberties are annihilated: and by the third our lives may be destroyed with impunity. The passage of the Quebec Bill also contributed to enhance the general indignation.[1]

A knowledge of this legislation, and an appreciation of its pernicious influence, inflamed the minds of the patriots in Carolina and Georgia and induced them to give early and decided expression to their views of condemnation and opposition. To their friends in Georgia, Henry Laurens and other gentlemen of in-

[1] See Grahame's *History of the United States*, etc., vol. iv. pp. 344–346. London. 1836.

fluence and character in South Carolina, addressed letters inquiring whether the fertile lands between the Savannah and the Alatamaha were favorable to the growth of the Tree of Liberty, even though the Indian hatchet, sharpened by the English, was ready to strike at its roots.[1]

On the 20th of July, 1774, the following invitation, signed by Noble W. Jones, Archibald Bulloch, John Houstoun, and John Walton appeared in the "Georgia Gazette:" —

"The critical situation to which the British Colonies in America are likely to be reduced from the arbitrary and alarming imposition of the late acts of the British Parliament respecting the town of Boston, as well as the acts that at present exist tending to the raising of a perpetual revenue without the consent of the people or their representatives, is considered an object extremely important at this juncture, and particularly calculated to deprive the American subjects of their constitutional rights and liberties as a part of the English Empire. It is therefore requested that all persons within the limits of this Province do attend at the Liberty Pole, at Tondee's tavern in Savannah, on Wednesday the 27th instant, in order that the said matters may be taken under consideration and such other constitutional measures pursued as may then appear to be most eligible."

Responding to this call, a respectable number of the freeholders and inhabitants of the province assembled at the Watch House in Savannah on the day appointed. The meeting was organized by the selection of John Glen as chairman. Sundry communications and resolutions from committees of correspondence at Boston, Philadelphia, Annapolis, Williamsburg, Charlestown, and elsewhere, were read and considered. It was moved and carried that a committee should be raised to prepare resolutions, similar to those adopted by the northern colonies, expressive of the sentiments and determination of this province. The following gentlemen were constituted members of that committee: John Glen, John Smith, Joseph Clay, John Houstoun, Noble Wimberley Jones, Lyman Hall, William Young, Edward Telfair, Samuel Farley, George Walton, Joseph Habersham, Jonathan Bryan, Jonathan Cockran, George McIntosh, Sutton Bankes, William Gibbons, Benjamin Andrew, John Winn, John Stirk, Archibald Bulloch, James Screven, David Zubly, Henry Davis Bourquin, Elisha Butler, William Baker, Parmenus Way, John Baker, John Mann, John Benefield, John Stacy, and John Morel.

[1] See McCall's *History of Georgia*, vol. ii. p. 14. Savannah. 1816.

A more intelligent, responsible, and manly committee could not have been nominated from out the entire circuit of the colonial population. While the resolutions were under consideration, it was wisely suggested that inasmuch as the inhabitants of some of the more distant parishes had not been advised of the present meeting in time sufficient to allow them to attend, the adoption of the resolutions should be postponed to a future occasion. It was therefore determined that the meeting "stand adjourned" until the 10th of August. The chairman was requested to communicate with the different parishes and districts, and to request that delegates be sent to unite with the committee in framing the contemplated resolutions. It was the sense of the meeting that those delegates should be equal in number to the representatives usually elected to the General Assembly, and that the resolutions, as sanctioned by the meeting in August, should be regarded as expressing the sentiments of the inhabitants of the province.

In obedience to the will of the meeting, Mr. Glen, the chairman, caused notices to be published and widely distributed requesting the respective parishes to elect delegates to attend on the committee at Savannah at the time agreed upon.

Alarmed at the proceeding, Governor Wright convened his council and consulted with the members in regard to the best method of placing a check upon proceedings which he deemed unconstitutional and revolutionary. A motion was made to expel Mr. Bryan from council because his name appeared among the committee men. That gentleman, says Captain McCall,[1] "with patriotic indignation, informed them in a style peculiar to himself for its candour and energy, that he would 'save them the trouble,' and handed his resignation to the governor." Finding that the persuasions of himself and council were likely to prove of little avail, Governor Wright issued the following proclamation: —

"*Georgia. By his Excellency Sir James Wright, Bart, Captain General of his Majesty's Province of Georgia, Chancellor, Vice Admiral, and Ordinary of the same.*

"Whereas I have received information that on Wednesday, the 27th day of July last past, a number of persons, in consequence of a printed Bill or Summons issued and dispersed throughout the Province by certain Persons unknown, did unlawfully assemble together at the Watch House in the Town of

[1] *History of Georgia*, vol. ii. p. 20. Savannah. 1816.

Savannah under colour or pretence of consulting together for the Redress of Grievances or imaginary Grievances, and that the Persons so assembled for the purposes aforesaid, or some of them are, from and by their own authority, by a certain other Hand-Bill issued and dispersed throughout the Province, and by other methods, endeavouring to prevail on his Majesty's liege subjects to have another meeting on Wednesday the 10th instant, similar to the former and for the purposes aforesaid, which summonses and meetings must tend to raise fears and jealousies in the minds of his Majesty's good subjects:

"And whereas an opinion prevails, and has been industriously propagated that Summonses and Meetings of this nature are constitutional and legal: in order therefore that his Majesty's liege subjects may not be misled and imposed upon by artful and designing men I do, by this Proclamation, by and with the advice of his Majesty's honorable Council, issue this my Proclamation notifying that all such Summonses and calls by Private Persons, and all Assemblings and Meetings of the People which may tend to raise fears and jealousies with his Majesty's subjects under pretence of consulting together for redress of Public Grievances, are unconstitutional, illegal, and punishable by Law.

"And I do hereby require all his Majesty's subjects within this Province to pay due regard to this my Proclamation as they will answer the contrary.

"Given under my hand and the Great Seal of his Majesty's said Province, in the Council Chamber at Savannah, the 5th day of August in the 14th year of the Reign of our Sovereign Lord George III. in the year of our Lord 1774.

JAMES WRIGHT.

"By his Excellency's command.

THO^{S} MOODIE, *Dep: Sec:*

"*God save the King.*"

In direct opposition to the will of his excellency, and in utter disregard of his proclamation, a general meeting of the inhabitants of the province was held at Tondee's tavern in Savannah on the 10th of August, 1774.

The following resolutions, reported by the committee raised for that purpose at the former convocation, were adopted and given to the public as an expression of the sentiments of Georgia with respect to the important questions which were then agitating the minds of the American colonists: —

"*Resolved, nemine contradicente*, That his Majesty's subjects

in America owe the same allegiance, and are entitled to the same rights, privileges, and immunities with their fellow subjects in Great Britain.

"*Resolved, nemine contradicente*, That as protection and allegiance are reciprocal, and under the British Constitution correlative terms, his Majesty's subjects in America have a clear and indisputable right, as well from the general laws of mankind, as from the ancient and established customs of the land so often recognized, to petition the Throne upon every emergency.

"*Resolved, nemine contradicente*, That an Act of Parliament lately passed for blockading the port and harbour of Boston is contrary to our idea of the British Constitution: First, for that it in effect deprives good and lawful men of the use of their property without judgment of their peers; and secondly, for that it is in the nature of an *ex post facto* law, and indiscriminately blends as objects of punishment the innocent with the guilty; neither do we conceive the same justified upon a principle of necessity, for that numerous instances evince that the laws and executive power of Boston have made sufficient provision for the punishment of all offenders against persons and property.

"*Resolved, nemine contradicente*, That the Act for abolishing the Charter of Massachusetts Bay tends to the subversion of *American* rights; for besides those general liberties, the original settlers brought over with them as their birthright particular immunities granted by such Charter, as an inducement and means of settling the Province: and we apprehend the said Charter cannot be dissolved but by a voluntary surrender of the people, representatively declared.

"*Resolved, nemine contradicente*, That we apprehend the Parliament of Great Britain hath not, nor ever had, any right to tax his Majesty's American subjects; for it is evident, beyond contradiction, the constitution admits of no taxation without representation; that they are coeval and inseparable; and every demand for the support of government should be by requisition made to the several houses of representatives.

"*Resolved, nemine contradicente*, That it is contrary to natural justice and the established law of the land, to transport any person to Great Britain or elsewhere to be tried under indictment for a crime committed in any of the colonies, as the party prosecuted would thereby be deprived of the privilege of trial by his peers from the vicinage, the injured perhaps prevented from legal reparation, and both lose the full benefit of their witnesses.

"*Resolved*, *nemine contradicente*, That we concur with our sister colonies in every constitutional measure to obtain redress of *American* grievances, and will, by every lawful means in our power, maintain those inestimable blessings for which we are indebted to God and the Constitution of our country — a Constitution founded upon reason and justice and the indelible rights of mankind.

"*Resolved*, *nemine contradicente*, That the Committee appointed by the meeting of the inhabitants of this Province on Wednesday, the 27th of July last, together with the deputies who have appeared here on this day from the different parishes, be a general committee to act, and that any eleven or more of them shall have full power to correspond with the committees of the several Provinces upon the Continent; and that copies of these resolutions, as well as of all other proceedings, be transmitted without delay to the Committees of Correspondence in the respective Provinces."

A committee, consisting of William Ewen, William Young, Joseph Clay, John Houstoun, Noble Wimberley Jones, Edward Telfair, John Smith, Samuel Farley, and Andrew Elton Wells, was appointed to solicit, receive, and forward subscriptions and supplies for the suffering poor in Boston. Within a short time five hundred and seventy-nine barrels of rice were contributed and shipped to that town.

While this meeting was most respectably constituted, and while its deliberations and conclusions were harmonious, it must not be supposed that there was no division of sentiment in Georgia upon the political questions of the day. On the contrary, the royal party was strong and active, and it required no little effort on the part of the "Liberty Boys" to acquire the mastery and place the province fairly within the lists of the Revolutionists. The line of demarkation was sometimes so sharply drawn that father was arrayed against son, and brother against brother. Thus, not to multiply instances, the Honorable James Habersham and Colonel Noble Jones maintained their allegiance to the Crown, while their sons were amongst the foremost champions of the rights of the colony. The brothers Telfair were divided in sentiment upon the momentous issues then involved. The cruel effects of such disagreements, experienced during the progress of the Revolution, were projected, not infrequently, even beyond the final establishment of the republic. No cause of quarrel can be more dangerous than that involving a conflict of opinion touch-

ing the relative rights of the governing and the governed. No calamities are so appalling as those engendered in a strife between peoples of the same race and claiming privileges emanating from the same fountain head. Polybius was right when he said that such dissensions were to be dreaded much more than wars waged in a foreign country or against a common enemy.

The only paper published in the colony at this time was the "Georgia Gazette." It was under the control of Governor Wright, and its official utterances were in support of the royal cause. In its issue of Wednesday, September 7, 1774,[1] appeared a card signed by James Habersham, Lachlan McGillivray, Josiah Tattnall, James Hume, Anthony Stokes, Edward Langworthy, Henry Yonge, Robert Bolton, Noble Jones, David Montaigut and some ninety-three others, inhabitants and freeholders chiefly of the town and district of Savannah, criticising the meeting of the 10th of August and protesting that the resolutions then adopted should not be accepted as reflecting the sentiments of the people of Georgia. "The important meeting of the 10th of August in defence of the Constitutional rights and liberties of the American Subjects," these gentlemen affirmed, "was held at a tavern, with the doors shut for a considerable time: and it is said 26 persons answered for the whole Province and undertook to bind them by resolutions; and when several Gentlemen attempted to go in, the Tavern-keeper, who stood at the door with a list in his hand, refused them admittance because their names were not mentioned in that list. Such was the conduct of these pretended advocates for the Liberties of America. Several of the inhabitants of St. Paul and St. George, — two of the most populous parishes of the Province, — had transmitted their written dissents to any Resolutions, and there were Gentlemen ready to present these dissents had not the door been shut for a considerable time and admittance refused. And it is conceived the shutting of the door and refusing admittance to any but resolutioners was calculated to prevent the rest of the Inhabitants from giving their dissent to measures that were intended to operate as the unanimous sense of the Province. Upon the whole, the world will judge whether the meeting of the 10th of August, held by a few persons in a Tavern, with doors shut, can, with any appearance of truth or decency, be called a General Meeting of the Inhabitants of Georgia." Such is the other side of the story as told by a pen dipped in the king's ink.

[1] No. 570.

Captain McCall,[1] who was himself an eye-witness of the occurrences, and who wrote while many of the actors were still in life, asserts that a few days after the meeting of the 10th of August Governor Wright called a convention to test the strength of his party. About a third of the inhabitants in and near Savannah, including his council and other civil and military officers, met at the court-house, signed a dissent from the republican proceedings, and entered a protest against the late assemblage as being unconstitutional. Documents of similar import were prepared and placed in the hands of influential friends of the governor with instructions to procure signatures to them from various parishes in the province. To the parties having charge of these papers moneys were allowed, "proportioned to the number of subscribers they obtained," as compensation for their services. Under such advantageous circumstances these royal agents were successful in procuring signatures from many timid men who sympathized with the American cause. Fraud too was practiced. In some instances the number of subscribers exceeded the population of the parish from which the protest purported to come. Signatures of dead men were forged. Thus was earnest effort made to overestimate the strength of the king's party in Georgia and to belittle the power of such as were resolved to resist an enforcement of the recent tyrannical Parliamentary enactments. Several protests, obtained in this manner and intended not only to influence the public sentiment in Georgia but also to reach the ear and confirm the purposes of the home authorities, were published in the "Georgia Gazette." We instance one from the inhabitants of the parish of St. Matthew and town of Ebenezer, which appeared on the 21st of September;[2] another on the 28th of the month,[3] signed by sundry parties in the parish of St. George, and from the town of Queensborough; and a third on the 12th of October,[4] subscribed by a number of the inhabitants of the parish of St. Paul and town of Augusta, and also by citizens of Wrightsboro, Kyoka, and the Broad River settlements. In his communication[5] to the Earl of Dartmouth Governor Wright alludes to the preparation of these protests, and ventures the opinion that when they are all received it will be apparent that the resolutions of the 10th of

[1] *History of Georgia*, vol. ii. p. 24. Savannah. 1816.
[2] *Georgia Gazette*, No. 572.
[3] *Georgia Gazette*, No. 573.
[4] *Georgia Gazette*, No. 575.
[5] Dated Savannah, 24th of August, 1774.

August "were not the voice of the People, but unfairly and insolently made by a Junto of a very few only."

The two parties in the province were already counting noses, and marshaling their forces for the coming contest. His excellency, with that political sagacity which distinguished him in a remarkable degree, foresaw the danger and confessed the inability of the colonial government to sustain itself in the face of the gathering storm.[1] He frankly admitted that it required the interposition of a power greater than that possessed by the executive to rectify abuses, remedy existing evils, and subdue the flame of independence which was each year burning more fiercely in the province.

In the meeting of the 10th of August the expediency of sending six deputies to the proposed general congress of the American colonies was discussed. The proposition did not, however, receive the sanction of the assemblage.

Of all the parishes composing the province none was more patriotic or resolute, none more public spirited or anxious to form a league against British oppression, than the parish of St. John. Of the five hundred and seventy-nine barrels of rice contributed by Georgia for the relief of the suffering poor of Boston two hundred were given by the inhabitants of this parish. Brave, intelligent, generous, and most intolerant of the semblance of oppression, they were prepared "to exert themselves to the utmost, and to make every sacrifice that men impressed with the strongest sense of their rights and liberties, and warm with the most benevolent feelings for their oppressed brethren, can make to stand firmly or fall gloriously in the common cause." Dissatisfied with the action of the meeting in Savannah, which declined to commission delegates to a general congress, they called a convention of their own on the 30th of August, 1774. By invitation, deputies from St. George and St. David were also present. It was then resolved "that if a majority of the Parishes would unite with them, they would send deputies to join the General Congress and faithfully and religiously abide by and conform to such determination as should there be entered into, and come from thence recommended."

Georgia, however, was not represented in the first general congress of the colonies. Upon the return of the deputies from South Carolina to that body the most earnest efforts were made

[1] See his *Letter to the Earl of Dartmouth*, dated Savannah, the 24th of August, 1774.

to incite Georgians to greater activity in the cause of the united colonies, and to evoke from them a cordial approval of the resolutions passed at Philadelphia. The "Declaration of Colonial Rights," there framed and adopted, was widely disseminated, and many were they in Georgia who openly and strenuously urged its acceptance as a forcible expression of the general sentiment. In explanation of the state of feeling then dominant in the province, Sir James Wright[1] thus addressed the Earl of Dartmouth: "I think it my duty to acquaint your Lordship that since the Carolina Deputies have returned from the Continental Congress as they call it, every means possible have been used to raise a flame again in this Province. Those People, it is said, solemnly undertook that this Province should accede to the Resolutions of that Congress, and we have been in hot water ever since, and I suppose the Sons of Liberty here, stimulated by the Carolinians, will take upon them to pass resolves in the name of the whole Province. I shall endeavour as much as possible to prevent it, but the sanction given to Rebellion by the Resolves and Proceedings of that Congress has greatly encouraged the spirit of political enthusiasm which many were possessed of before, and raised it to such a height of Frenzy that God knows what the consequences may be or what man or whose property may escape their resentment."

In the Continental Congress twelve provinces were represented. Governor Wright's influence, sustained by the leading royalists, had been sufficiently potent to deter Georgia from sending delegates. Their absence was severely commented upon, and it was resolved to spare no exertions which might induce the colony of Oglethorpe to cast her lot with her sister plantations.

The colonial rights, promulgated by Congress and severely denounced by Governor Wright, may be epitomized thus: The enjoyment of life, liberty, and property was absolutely claimed. The privilege of being bound by no law to which they had not consented through their representatives was demanded as inherent in the colonists by virtue of their character as British subjects. The exclusive power of taxation, internal and external, and the right of legislation for the colonies were declared to reside in their respective assemblies; Parliament possessing the authority to enact only such laws as were requisite for the *bona fide* regulation of trade. The common law of England was insisted upon as the birthright of the colonists. "The right of trial by a jury

[1] See his letter of the 13th of December, 1774.

of the vicinage, the right of public meetings, and the right of petition for the redress of grievances" were pronounced "inalienable." Against standing armies maintained in the colonies without their consent, and against legislation by councils dependent on the Crown, solemn protests were entered. All immunities hitherto enjoyed by the colonies, whether authorized by charter or by custom, were asserted to be vested rights which could not be abrogated by any exercise of power on the part of the mother country. Eleven acts of Parliament passed since the accession of George III. — the Sugar act, the Stamp act, the two Quartering acts, the Tea act, the act suspending the New York legislature, the two acts for the trial in Great Britain of offenses committed in America, the Boston Port Bill, the act for regulating the government of Massachusetts, and the Quebec act — were denounced as having been passed in derogation of the rights of the colonies.

With a view to the practical enforcement of these claims, fourteen articles were agreed upon as the basis of an "American Association." The associators were pledged to commercial non-intercourse with Great Britain, Ireland, and the West Indies, and to a non-consumption of tea and British goods. This non-intercourse was to extend to such of the North American provinces as should decline to unite in the association, and was to continue until the obnoxious acts of Parliament were repealed. The non-importation clauses were to become operative in December, but the non-exportation clauses were postponed for nine months longer. The slave-trade was specially denounced, and entire abstinence from it and from those engaged in it was enjoined. The associators stood pledged to encourage the breeding of sheep. Mourning goods were to be discarded. There was to be no enhancement of the price of goods on hand in consequence of this agreement. Committees were to be raised everywhere, whose duty it should be to publish the names of all who violated the provisions of this compact. All dealings with such "enemies of American liberty" were strictly prohibited.[1]

To the "Sons of Liberty" the position now occupied by Georgia was distressful and mortifying. From her isolated situation, from her apparent indifference to the compact into which the other American colonies had entered, and from the ban under which she was placed by her failure to participate in the deliberations of and to be bound by the conclusions reached by the

[1] See Hildreth's *History of the United States*, vol. iii. pp. 43, 44. New York. 1880.

Continental Congress, they determined to liberate her at the earliest practicable moment.

A Provincial Congress was determined upon as the surest and best method of accomplishing this desirable result, and the 18th of January, 1775, was suggested for the convocation. Savannah was named as the most suitable place for the session. On the 8th of December, 1774, many of the leading citizens of that town and of Christ Church Parish convened at the market-place, and, having summoned John Glen, Esq., to the chair, proceeded to an election of delegates to the Provincial Congress. Upon closing the polls at six o'clock in the afternoon, "the following gentlemen were declared duly elected, viz.: Joseph Clay, George Houstoun, Ambrose Wright, Thomas Lee, Joseph Habersham, Edward Telfair, John Houstoun, Peter Tondee, Samuel Farley, William Young, John Smith, Archibald Bulloch, John McCluer, Noble Wimberley Jones, and John Morel."

In commenting upon this action of Christ Church Parish a writer in the "Georgia Gazette"[1] says: "It cannot surely at this time admit of a doubt but every Parish and District throughout the Province will, as soon as possible, follow so laudable an example.

"Every thinking man must be convinced how much the honour, welfare, and happiness of us and our posterity depend upon a vigorous assertion and claim of our just and natural rights which the arbitrary system of politicks adopted by the Administration is undeniably calculated to deprive us of."

This anticipation was not realized: for, as we shall see, upon the assembling of the Provincial Congress it was found that only five of the twelve parishes composing the province sent delegates. Governor Wright and the supporters of the Crown were most earnest in discountenancing all these preliminary meetings, and the home authorities assured him that in his efforts to "suppress such unwarrantable proceedings" he should have every support. The Lords of the Admiralty were instructed to direct Admiral Graves to station one of his small cruisers in Savannah River, and General Gage was ordered to send to Governor Wright a detachment of one hundred men from the garrison at St. Augustine.[2]

On the 20th of December Sir James advised the Earl of Dart-

[1] No. 584, Wednesday, December 14, 1774.

[2] See *Letter from the Earl of Dartmouth to Governor Wright*, dated Whitehall, 1st February, 1775.

mouth: "Our Liberty Folks are really very active in tormenting a flame throughout the Province, . . . but your Lordship may rely on it that every means possible shall be used to counteract and oppose them, and in which I shall persevere to the last, and if they do accede to the resolutions of the Continental Congress, yet had I but 200 Soldiers and a Sloop of War I think I should be able to keep everything quiet and orderly and might be very easy as to their threats about non-importation and non-exportation, and of shutting up the Ports, &c., &c., &c.; but your Lordship knows I have not the least support, altho' I have the great satisfaction to acquaint your Lordship that the King's Officers and a great number of Gentlemen are against all the Liberty Measures, as your Lordship would see by the Dissents."

Although not yet thoroughly republican, Georgia was fast becoming so, and neither the persuasions of the king's officers nor the threats of a resort to military force to compel submission to the will of Parliament were sufficiently potent to silence the voice of the protestants or to prohibit public demonstrations in favor of colonial rights.

Early in January, 1775, a district congress was held by the inhabitants of St. Andrew's Parish, at which a series of manly resolutions, embodying the views of a large number of the most influential citizens of that flourishing settlement on the Alatamaha, was adopted with much enthusiasm. The first of these resolutions expressed the unqualified approval, by the members of the congress, of "the unparalleled moderation, the decent but firm and manly conduct of the loyal and brave people of Boston and Massachusetts Bay" in their efforts to preserve their liberties; their acquiescence in, and adoption of, "all the resolutions of the Grand American Congress;" and their "cheerful accession to the Association entered into by them as the wisest and most moderate measure that could be adopted." The second resolution, after condemning the closing of the land offices to the great detriment of colonial growth and the injury of the industrious poor, declared that every "encouragement should be given to the poor of every nation by every generous American." The third criticised severely ministerial mandates which prohibited colonial assemblies from passing such laws as the exigencies of the respective provinces required. In the fourth the practice of making colonial officers dependent upon Great Britain for the determination and payment of their salaries, thus rendering them "independent of the people who should support them according to

their usefulness and behaviour," was heartily condemned. By the fifth the parish declared its "disapprobation and abhorrence of the unnatural practice of slavery in America," and its determination to urge "the manumission of our slaves in this Colony upon the most safe and equitable footing for the masters and themselves." The last resolution provided for the election of delegates to represent the district in the Provincial Congress, and instructed them to urge the appointment of deputies from Georgia to the Continental Congress.[1]

Appended to these resolutions, and signed by Lachlan McIntosh, George Threadcraft, Charles McDonald, John McIntosh, Raymond Demere, Jiles Moore, Samuel McClelland, Peter Sallens, Jr., James Clark, John Witherspoon, Jr., John Witherspoon, John Fulton, Samuel Fulton, Isaac Cuthbert, Isaac Hall, Jones Newsom, A. Daniel Cuthbert, John Hall, John McCollugh, Snr. John McCollugh, Jr., William McCollugh, Reuben Shuttleworth, John McCleland, Richard Cooper, Seth McCullugh, Thomas King, Paul Judton, John Roland, Pr: Shuttleworth, Joseph Stobe, and To: Bierry, were the following articles of association: —

"Being persuaded that the salvation of the rights and liberties of America depend, under God, on the firm union of the inhabitants in the vigorous prosecution of the measures necessary for its safety, and convinced of the necessity of preventing the anarchy and confusion which attend the dissolution of the powers of Government, we, the freemen, freeholders, and inhabitants of the Province of Georgia, being greatly alarmed at the avowed design of the Ministry to raise a revenue in America, and shocked by the bloody Scene now acting in the Massachusetts Bay, do in the most solemn manner resolve never to become slaves; and do associate under all the ties of religion, honor, and love of country, to adopt and endeavor to carry into execution whatever may be recommended by the Continental Congress, or resolved upon by our Provincial Convention that shall be appointed, for the purpose of preserving our Constitution and opposing the execution of the several arbitrary and oppressive acts of the British Parliament until a reconciliation between Great Britain and America on constitutional principles, which we most ardently desire, can be obtained; and that we will in all things follow the advice of our general Committee, to be appointed, respecting the

[1] See Stevens' *History of Georgia*, vol. ii. pp. 86, 87. Philadelphia. 1859.

purposes aforesaid, the preservation of peace and good order, and the safety of individuals and private property."

Christ Church, St. John, and St. Andrew were the strongest and most intelligent parishes within the limits of the province. In their primary meetings they all declared themselves in favor of the resolutions adopted by the Continental Congress, and appointed delegates to the Provincial Congress.

It was the expectation of Governor Wright, by convening the General Assembly of the province on the same day named for the meeting of the Provincial Congress, either to prevent a session of the latter body or essentially to modify its deliberations.[1] Vain was this anticipation. Pursuant to the call of his excellency the General Assembly of Georgia met in Savannah on the 18th of January, 1775. In his speech the governor thus cautioned the Commons House of Assembly:[2] "The alarming situation of American affairs at this juncture makes it highly necessary for me to say something to you on that subject: and it is with the utmost concern that I see, by every account, all the Colonies to the northward of us, as far as Nova Scotia, in a general ferment, and some of them in such a state as makes me shudder when I think of the consequences which it is most probable will soon befall them.

"The unhappy disputes with the Mother Country are now become of the most serious nature, and I am much afraid the very extraordinary and violent measures adopted and pursued will not only prevent a reconciliation, but may involve all America in the most dreadful calamities.

"Gentlemen, I think myself very happy in having it in my power to say that this Province is hitherto clear, and I much hope by your prudent conduct it will remain so.

"Be not led away by the voices and opinions of men's overheated ideas. Consider coolly and sensibly of the terrible consequences which may attend adopting resolutions and measures *expressly contrary to law*, and hostile to the Mother Country, especially at so late a season, when we may almost daily expect to hear the determination of Great Britain on the matters in dispute, and therefore I conceive can answer no purpose but that of throwing the Province into confusion: and I tremble at the apprehension of what may be the resolution and declaration of

[1] See *Letter of Governor Wright to the Earl of Dartmouth*, dated Savannah, February 1, 1775.

[2] *Georgia Gazette*, No. 590.

the new Parliament relative to the conduct of the People in some parts of America.

"You may be advocates for liberty: so am I, but in a constitutional and legal way. You, Gentlemen, are *legislators*, and let me entreat you to take heed how you give a sanction to trample upon law and government, and be assured it is an indisputable truth that where there *is no law there can be no liberty.* It is the due course of law and support of Government which *only can insure to you* the enjoyment of your lives, your liberties, and your estates, and don't catch at the shadow and lose the substance.

"I exhort you not to suffer yourselves to be drawn in to involve this Province in the distresses of those who may have offended. We are in a very different situation and on a very different footing from the other Colonies. Don't consider me as speaking to you merely as the King's Governor of this Province. As such, Gentlemen, it is certainly my duty to support his Majesty's just rights and authority and to preserve peace and good order within my Government, and to contribute as much as possible towards the prosperity and happiness of the Province and people. Believe me when I tell you I am at this time actuated by further motives than those only of discharging my duty as the King's Governor. I have lived amongst and presided over you upwards of fourteen years and have other feelings. I have a real and affectionate regard for the People, and it grieves me to think that a Province which I have been so long in, and which I have seen nurtured by the Crown at a vast expense to the Mother Country, and grow up from mere infancy, from next to nothing, to a considerable degree of maturity and opulence, should by the imprudence and rashness of some inconsiderate People be plunged into a state of distress and ruin. We have been most happy in (I hope) avoiding Scylla, and let me in the strongest terms conjure you to steer clear of Charybdis."

The response of the Upper House of Assembly was most satisfactory to his excellency, and entirely loyal to the Crown. Lamenting the unhappy differences existing between England and the American colonies, the members of that body disapproved of all violent and intemperate measures, and declared it to be their pride and glory to be constitutionally connected with Great Britain by the closest and most enduring union. While dreading nothing more than a dissolution of the ties binding them to the mother country, they expressed an ardent wish that the

American colonists might be permitted to enjoy all the rights and privileges of British subjects as fully as though they were actual inhabitants of the British Isles. "Nor can we doubt of success," they added, "when we reflect that we are blessed with a King who glories in being the equal father of all his people, and therefore we can and do submit our cause with full confidence to his royal wisdom and paternal goodness. Neither will we suppose that a British Parliament, that great and august Body who have so often generously asserted and defended the liberties of other nations, will disregard the equitable claims of their fellow subjects."

The king and Parliament were still secure in the loyalty and affection of the council.

The address of the Lower House of Assembly was more independent in its tone, and less acceptable to the governor.

"We cannot," said the representatives, "be less affected by and concerned for the present alarming situation of affairs between Great Britain and America than your Excellency. We must be equally insensible not to feel our numerous grievances and not to wish them redressed. It is that alone which every good American contends for. It is the enjoyment of our constitutional rights and liberties that softens every care of life and renders existence itself supportable. At the same time, in all our proceedings we shall studiously avoid every measure that shall not appear to us at once strictly consonant with our duty to his Majesty and the interest, liberty, and welfare of our Constituents."

Commenting upon the temper of the representatives and many of their constituents Governor Wright, on the 13th of February, 1775, thus addressed the Earl of Dartmouth: "Really, my Lord, a great many People have worked themselves up to such a pitch of political enthusiasm with respect to their ideas of Liberty and the powers of the British Parliament and of their *right to resist* what they call unconstitutional laws, that I do not expect they will yet give up their pretensions. They have not forgot certain speeches in the beginning of the year 1766, and very frequently mention them and say if they had not been constitutional and unanswerable the Parliament would not have so far approved of and yielded to them as to have repealed the Stamp Act. These things my Lord have made such strong impressions that it's very difficult to remove them, or for the people to bring themselves to think otherwise."

But a short time before[1] he had advised his lordship of the active interference of the South Carolinians, and of the violent threats uttered by them against such Georgians as opposed the resolutions of the Continental Congress. Referring to the subject of an armed force to support his majesty's government and execute the obnoxious laws of Parliament within the province, he writes: "I know that any Troops being sent here at this time would be looked upon as Dragooning (as they call it) the people into passive obedience and submission to the unconstitutional acts of the Parliament of Great Britain, and that keeping a standing army without the consent and request of the Legislature of the Colony will be said to be contrary to law.

"But your Lordship will be the best Judge how far his Majesty's Officers ought to remain not only lyable to Insults from the People of the Province they live in, but also from the People in another Province, and probably to be seized upon by them and confined or possibly murdered."

The Provincial Congress assembled simultaneously with the legislature and perfected its organization by calling John Glen to the chair. Of the twelve parishes composing the colony only five were represented by delegates, and some of these delegates were hampered by restrictions which materially impaired their freedom of expression and action. The power of Governor Wright and of the loyal party in Georgia had been successfully exerted in preventing a more general response to the invitation extended by the Liberty Boys of Christ Church Parish. Chagrined at the inaction of the colony, the delegates to this congress essayed to accomplish through the Commons House of Assembly that which, of themselves, they were not strong enough to perform. Laying before that body the papers and resolutions which were then engaging their attention, they hoped by securing the sanction of the representatives to announce those resolutions, which were akin to such as had been adopted by the Continental Congress, as embodying the general sentiments of the province. After a conference with the Upper House, finding it impossible to bring about unity of thought and action, the members of the Lower House proceeded to a consideration of various communications received from other provinces on the subject of American grievances, and entered upon a discussion of the resolutions of the Provincial Congress which were submitted for their approval. These resolu-

[1] See *Letter of Governor Wright to the Earl of Dartmouth*, dated Savannah, February 1, 1775.

tions were substantially the same as those which had been adopted on the 14th of October, with the addition of three others: one rendering grateful acknowledgment to the noble, honorable, and patriotic advocates of civil and religious liberty who had so generously and powerfully espoused and defended the cause of America both in and out of Parliament; another giving thanks to the members of the late American congress for their wise and able exertions in behalf of American liberty; and a third urging that deputies should be sent from Georgia to the Continental Congress which was to convene on the 10th of May next in the city of Philadelphia.

Pending the deliberations upon these important matters, and in order to prevent any authoritative and final action in the premises, the governor, on the 10th of February, adjourned the General Assembly until the 9th of the following May. This action completely thwarted the designs of the liberty party and utterly prevented the nomination, by the representatives, of delegates to the Philadelphia congress.

Embarrassed by this unexpected event; perplexed by the paucity of the representation present, which, in all honesty, forbade that the conclusions and recommendations of the Provisional Congress should be promulgated as expressive of the will of even a majority of the parishes of Georgia; hampered by the restrictions under which some of the delegates labored, and weakened by the withdrawal of the deputies from St. John's Parish who would listen to nothing short of an emphatic indorsement of all the measures and resolutions suggested by the Continental Congress, the Provisional Congress adjourned on the 25th of January. Before doing so, however, it elected Noble W. Jones, Archibald Bulloch, and John Houstoun to represent the province in the Philadelphia congress. Having failed to indorse all the resolutions entered into by her sister colonies, Georgia, to the delight of the governor and council and the sincere mortification of the lovers of American liberty, still remained outside of the continental association.

So incensed were the South Carolinians that they resolved to hold no intercourse with Georgians, but "to consider them as unworthy the rights of freemen and as inimical to the liberties of their country." Bewailing the posture of affairs, and repudiating the action of the Provincial Congress, the parish of St. John resolved to act independently and in advance of the rest of the colony. So annoyed were the citizens of that parish at the

abortive effort made at Savannah to commit the province to the line of conduct prescribed by the Continental Congress that on the 9th of February, 1775, Joseph Wood, Daniel Roberts, and Samuel Stevens, members of the parish committee, were deputed, with a carefully prepared letter, to repair to Charlestown and request of the committee of correspondence there "permission to form an alliance with them and to conduct trade and commerce according to the act of non-importation to which they had already acceded." Among other arguments advanced in that communication, framed and signed by Lyman Hall, chairman, we find the following: "Our being a Parish of a non-associated Province cannot, we presume, prevent our joining the other Provinces, as the restrictions mentioned in the 14th clause of the General Association must, as we apprehend, be considered as a general rule only, and respects this Province considered in a mixed or promiscuous sense; but as we of this Parish are a body detached from the rest by our resolutions and association, and sufficiently distinct by local situation, large enough for particular notice, and have been treated as such by a particular address from the late Continental Congress, adjoining a sea-port and in that respect capable of conforming to the General Association, and (if connected with you), with the same fidelity as a distinct Parish of your own Province: therefore we must be considered as comprehended within the spirit and equitable meaning of the Continental Association, and we are assured you will not condemn the innocent with the guilty, especially when a due separation is made between them."

Reaching Charlestown on the 23d of February, Messrs. Wood, Roberts, and Stevens waited upon the general committee and earnestly endeavored to accomplish their mission. While admiring the patriotism of the parish and entreating its citizens to persevere in their laudable exertions, the Carolinians deemed it improper and "a violation of the Continental Association to remove the prohibition in favor of any *part* of a Province."

Disappointed, yet not despondent, the inhabitants of St. John's Parish, with surprising unanimity, "resolved to prosecute their claims to an equality with the Confederated Colonies."

This parish then possessed nearly one third of the aggregate wealth of Georgia, and its citizens were remarkable for their thrift, courage, honesty, and determination. Having adopted certain resolutions by which they obligated themselves to hold no commerce with Savannah or other places except under the super-

vision of a committee, and then only with a view to procuring the necessaries of life, and having avowed their entire sympathy with all the articles and declarations promulgated by the General Congress, the inhabitants of St. John's Parish elected Dr. Lyman Hall to represent them in the Continental Congress. This appointment occurred on the 21st of March and no more suitable selection could have been made. Among the prominent citizens of the parish none occupied a position superior to that accorded to Dr. Hall. A native of Connecticut, he had long been identified with the region, and was a member of the Midway Congregation. Owning and cultivating a rice plantation on the Savannah and Darien road only a few miles from Midway meeting-house, he resided in Sunbury and was the leading physician in that community. When departing for the Continental Congress he carried with him, as a present from his constituents to the suffering republicans in Massachusetts, one hundred and sixty barrels of rice and fifty pounds sterling. On the 13th of May this gentleman, who had been largely instrumental in persuading the Parish of St. John to this independent course, presented his credentials in Philadelphia and was unanimously admitted to a seat in Congress, "*as a delegate from the Parish of St. John in the Colony of Georgia*, subject to such regulations as the Congress should determine relative to his voting." Until Georgia was fully represented, Dr. Hall declined to vote upon questions which were to be decided by a vote of colonies. He, however, participated in the debates, recorded his opinions in all cases where an expression of sentiment by colonies was not required, and declared his earnest conviction "that the example which had been shown by the Parish which he represented would be speedily followed, and that the representation of Georgia would soon be complete."

The patriotic spirit of its inhabitants and this independent action of St. John's Parish in advance of the other parishes of Georgia were afterwards acknowledged when all the parishes were in accord in the Revolutionary movement. As a tribute of praise and in token of general admiration, by special act of the legislature the name of LIBERTY COUNTY was conferred upon the consolidated parishes of St. John, St. Andrew, and St. James. Sir James Wright was not far from the mark when he located the head of the rebellion in St. John's Parish, and advised the Earl of Dartmouth that the rebel measures there inaugurated were to be mainly referred to the influence of the "descendants of New England people of the Puritan Independent sect" who, re-

taining "a strong tincture of Republican or Oliverian principles, have entered into an agreement amongst themselves to adopt both the resolutions and association of the Continental Congress." On the altars erected within the Midway District were the fires of resistance to the dominion of England earliest kindled; and Lyman Hall, of all the dwellers there, by his counsel, exhortations, and determined spirit, added stoutest fuel to the flames. Between the immigrants from Dorchester and the distressed Bostonians existed not only the ties of a common parentage, but also sympathies born of the same religious, moral, social, and political education. Hence we derive an explanation of the reason why the Midway settlement declared so early for the Revolutionists. The Puritan element — cherishing and proclaiming intolerance of Established Church and of the divine right of kings, impatient of restraint, accustomed to independent thought and action, and without associations which encouraged tender memories of and love for the mother country — asserted its hatreds, its affiliations, and its hopes with no uncertain utterance, and appears to have controlled the action of the entire parish.[1]

Aside from an appreciation of her own weakness and of the dangers arising from a numerous Indian population on her borders, a military force in Florida obedient to the will of the king, the presence of predatory bands eager for some excuse to inaugurate a system of spoliation and murder, and an extensive coast entirely exposed to naval depredations, there were other considerations which caused Georgians to pause ere they lifted their hands in anger against the mother country. Some of them are alluded to by Bishop Stevens.[2]

[1] The apparent tardiness and hesitancy on the part of the colony of Georgia in casting her lot with her sister colonies at the inception of those movements which culminated in a declaration of independence may be excused or accounted for when we remember that she was the youngest and the least prepared of all the colonies, and recall the fact that Schovilites, leagued with Indians, were scourging her borders and awakening in the breasts even of the most patriotic and daring gravest apprehensions for the safety of their wives and children. "The charge of inactivity vanishes," says Captain McCall, "when the sword and hatchet are held over the heads of the actors to compel them to lie still." *History of Georgia*, vol. ii. p. 4. Savannah. 1816.

During the progress of the Revolution the term Schovilite which, at first, was used to designate not only the bandit follower of Schovil but also every adherent of the Crown in the Southern provinces, was dropped, and that of Loyalist and Tory substituted. The Revolutionists were known as Whigs, Rebels, and Patriots. Many Loyalists who fled from the Carolinas and Georgia secured a retreat in East Florida whence, having associated with themselves parties of Indians, under the name of Florida Rangers, they indulged in predatory incursions into Georgia to the great loss and disquietude of the southern portions of the province.

[2] *History of Georgia*, vol. ii. p. 94. Philadelphia. 1859.

Since its settlement Georgia had received, by grant of Parliament, nearly £200,000 in addition to generous bounties lavished in aid of silk culture and various agricultural products. This fact weighed with no little force upon the minds of many, and Governor Wright sought every opportunity to inculcate gratitude towards a sovereign whose paternal care had been so kindly manifested.

Other colonies had charters upon which to base some claims for redress. Georgia had none. Upon the surrender by the trustees of the charter granted to them by King George the Second, all chartered privileges became extinct. Upon its erection into a royal province, the commission of the governor, and the instructions of his majesty communicated through the Lords of Trade and Plantations and the Privy Council, constituted the supreme measure of privilege and the rules of government.

For fourteen years had Sir James Wright presided over the colony with impartiality, wisdom, and firmness. Through his zeal and watchfulness the province had been delivered from the horrors of Indian warfare and guided into the paths of peace and plenty. By his negotiations millions of acres had been added to the public domain. Diligent in the discharge of his official duties, firm in his resolves, just in the exercise of his powers, loyal in his opinions, courteous in his manners, thrifty in the conduct of his private affairs, and exhibiting the operations of a vigorous and well-balanced judgment, he secured the respect and affection of his people. Although differing from many of the inhabitants upon the political questions which were now dividing the public mind, he never suffered himself to be betrayed into acts of violence or of revenge. He preferred to counsel, to enlighten, to exhort. Georgia was prosperous and her development, year by year, was marked. Her position therefore was peculiar, and it excites no surprise that at the outset there should have been a division of sentiment upon the momentous political issues presented for her consideration. The period of doubt, however, was short in its duration. Before Jefferson framed his immortal Declaration of Independence, Georgia cast her lot with her sister American colonies and, through her delegates, was participating in the adoption of those measures which brought about the war of the Revolution. Of all the English provinces in America, Georgia had least cause to take arms against the mother country.

CHAPTER IX.

THE COMMONS HOUSE OF ASSEMBLY REFUSES TO OBEY GOVERNOR WRIGHT'S ORDER. — COMMUNICATION OF MESSRS. JONES, BULLOCH, AND HOUSTOUN TO THE PRESIDENT OF THE CONTINENTAL CONGRESS. — EFFECT IN SAVANNAH OF THE NEWS OF THE AFFAIR AT LEXINGTON AND CONCORD. — POWDER MAGAZINE SEIZED BY THE LIBERTY BOYS AND A PORTION OF ITS CONTENTS FORWARDED TO THE PATRIOTS NEAR BOSTON. — CANNON SPIKED TO PREVENT A CELEBRATION OF THE KING'S BIRTHDAY. — FIRST LIBERTY POLE IN SAVANNAH. — COUNCIL OF SAFETY APPOINTED. — PUNISHMENT OF HOPKINS AND BROWN. — RESOLUTIONS ADOPTED BY THE MEETING OF CITIZENS CONVENED AT MRS. CUYLER'S HOUSE. — UNABLE TO STEM THE CURRENT, GOVERNOR WRIGHT REQUESTS PERMISSION TO RETURN HOME. — HIS DISPATCHES TO GENERAL GAGE AND TO ADMIRAL GRAVES. — CAPTURE OF CAPTAIN MAITLAND'S POWDER SHIP. — GEORGIA NO LONGER HESITATES. — GOVERNOR WRIGHT OPPRESSED BY THE GRAVEST APPREHENSIONS. — PROVINCIAL CONGRESS OF JULY 4, 1775. — ITS DELIBERATIONS AND CONCLUSIONS.

ALTHOUGH by adjourning the General Assembly Governor Wright defeated a concert of action between that body and the Provincial Congress and prevented the nomination, by the Lower House, of delegates to the General Congress at Philadelphia, he found to his regret that the members of the Commons House retaliated on the 9th of May by refusing to respond to the summons reconvening the legislature. Several days elapsed and still there was no quorum. A further adjournment was ordered to allow the country members an opportunity to come in. Upon the expiration of the specified time it became manifest that the Commons House did not intend to convene in numbers sufficient to warrant the transaction of business. Acting upon the advice of the executive council, the governor prorogued the assembly until the 7th of November. Even then a quorum of the Lower House failed to attend, and a further prorogation became necessary. Before the day of convocation arrived Georgia had passed into the hands of the republicans, and the royal government in the province was, for a season, subverted.

Nominated by a Provincial Congress which represented only four of the twelve parishes then constituting the colony of Georgia (the fifth, St. John, having withdrawn and commissioned Dr

Lyman Hall to act as an independent delegate from that parish Messrs. Jones, Bulloch, and Houstoun did not take their seats the Continental Congress to which they had been thus accredite Rightly judging that they could not properly be regarded as re resentatives of the province, and yet persuaded that the will of those who selected them should be made known and the min of the colony fairly interpreted, those gentlemen, on the 6th of April, 1775, addressed the following communication to the Pres dent of the Continental Congress: —

"Sir, — The unworthy part which the Province of Georgia has acted in the great and general contest leaves room to expec little less than the censure or even indignation of every virtuous man in America. Although, on the one hand, we feel the jus tice of such a consequence with respect to the Province in general, yet, on the other, we claim an exemption from it in favour of some individuals who wished a better conduct. Permit us, therefore, in behalf of ourselves and many others, our fellow-citizens, warmly attached to the cause, to lay before the respectable body over which you preside a few facts which, we trust, will not only acquit us of supineness, but also render our conduct to be approved by all candid and dispassionate men.

"At the time the late Congress did this Province the honour to transmit to it an extract from their proceedings, enclosed in a friendly letter from the Honourable Mr. Middleton, the sense and disposition of the people in general seemed to fluctuate between liberty and convenience. In order to bring on a determination respecting the measures recommended, a few well-affected persons in Savannah, by public advertisement in the Gazette, requested a meeting of all the parishes and districts, by delegates or representatives, in Provincial Congress. On the day appointed for this meeting, with concern they found that only five out of twelve parishes to which they had particularly wrote had nominated and sent down delegates; and even some of these five had laid their representatives under injunctions as to the form of an association. Under these circumstances, those who met saw themselves a good deal embarrassed. However, one expedient seemed still to present itself. The House of Assembly was then sitting, and it was hoped there would be no doubt of a majority in favour of American freedom. The plan, therefore, was to go through with what business they could in Provincial Congress, and then, with a short address, present the same to the House of Assembly, who, it was hoped, would by votes, in a few minutes

and before prerogative should interfere, make it the act of the whole Province. Accordingly, the Congress framed and agreed to such an association, and did such other business as appeared practicable with the people, and had the whole just ready to be presented, when the Governor, either treacherously informed, or shrewdly suspecting the step, put an end to the session. What then could the Congress do? On the one hand, truth forbid them to call their proceedings the voice of the Province, there being but five out of twelve parishes concerned; and, on the other, they wanted strength sufficient to enforce them on the principle of necessity, to which all ought for a time to submit. They found the inhabitants of Savannah not likely soon to give matters a favourable turn. The importers were mostly against any interruption, and the consumers very much divided. There were some of the latter virtuously for the measures; others strenuously against them; but more who called themselves neutrals than either. Thus situated, there appeared nothing before us but the alternative of either immediately commencing a civil war among ourselves, or else of patiently waiting for the measures to be recommended by the General Congress.

"Among a powerful people provided with men, money, and conveniences, and by whose conduct others were to be regulated, the former would certainly be the resolution that would suggest itself to every man removed from the condition of a coward; but in a small community like that of Savannah, (whose members are mostly in their first advance towards wealth and independence, destitute of even the necessaries of life within themselves, and from whose junction or silence so little would be added or lost to the general cause,) the latter presented itself as the most eligible plan, and was adopted by the people. Party disputes and animosities have occasionally prevailed, and show that the spirit of freedom is not extinguished, but only restrained for a time till an opportunity shall offer for calling it forth.

"The Congress convened at Savannah did us the honour of choosing us delegates to meet your respectable body at Philadelphia on the tenth of next month. We were sensible of the honour and weight of the appointment, and would gladly have rendered our country any services our poor abilities would have admitted of; but alas! with what face could we have appeared for a Province whose inhabitants had refused to sacrifice the most trifling advantages to the public cause, and in whose behalf we did not think we could safely pledge ourselves for the execution of any one measure whatsoever?

"We do not mean to insinuate that those who appointed u would prove apostates or desert their opinions; but that the tid of opposition was great: that all the strength and virtue of thes our friends might be sufficient for the purpose. We very earl saw the difficulties that would here occur, and therefore re peatedly and constantly requested the people to proceed to th choice of other delegates in our stead; but this they refused tc do. We beg, sir, you will view our reasons for not attending in a liberal point of light. Be pleased to make the most favourable representation of them to the Honourable the Members of the Congress. We believe we may take upon ourselves to say, notwithstanding all that has passed, there are still men in Georgia who, when an occasion shall require, will be ready to evince a steady, religious, and manly attachment to the liberties of America. For the consolation of these, they find themselves in the neighbourhood of a Province whose virtue and magnanimity must and will do lasting honour to the cause, and in whose fate they seem disposed freely to involve their own.

"We have the honour to be, sir, your most obedient and very humble servants,

NOBLE WYMBERLEY JONES.
ARCHIBALD BULLOCH.
JOHN HOUSTOUN."

Of the determination of these gentlemen not to attend the Continental Congress the Crown was notified by Governor Wright's dispatch of the 24th of April. He therein claims the credit of having frustrated the plans of the Savannah congress, and expresses the hope that nothing further would be attempted by those in sympathy with its avowed objects. At the same time he confesses to no little uneasiness in regard to the hostile attitude maintained by South Carolina toward the province. Incensed at the refusal of Georgia to become a member of the American Association and to participate in the deliberations of the Continental Congress, the Carolinians resolved to hold no intercourse with the province. It was also contemplated, in case any blood was shed in Massachusetts, to make sanguinary reprisal in Georgia as a colony loyal to the king. Thus more and more unquiet grew the public mind. Thus did the isolated situation of the province become more apparent and onerous. The more thoroughly the political questions agitating the country were discussed, smaller became the number of such as acknowledged themselves adherents to the Crown, and the more

numerous they who favored a confederation of the American colonies.

Forwarded by day and by night came the news of the affairs at Lexington and Concord. It reached Savannah on the evening of the 10th of May and created the profoundest excitement. Gage's order, promulgated by the haughty lips of Major Pitcairn on that epochal day, — "Disperse, ye Villains: ye Rebels, disperse:" — was answered with defiant shouts from the granite hills of New England to the echoing savannahs of the south. The blood of yeomen shed on Lexington green cemented the union of the colonies. The thunders of the 19th of April awoke the Georgia parishes from their lethargy and turned the popular tide in favor of resistance to parliamentary rule.

The magazine at the eastern extremity of Savannah, built of brick and sunk some twelve feet under ground, contained a considerable supply of ammunition. So substantial was this structure that Governor Wright deemed it useless to post a guard for its protection. The excited Revolutionists all over the land cried aloud for powder. Impressed with the necessity of securing the contents of this magazine for future operations, quietly assembling and hastily arranging a plan of operations,[1] Dr. Noble W. Jones, Joseph Habersham, Edward Telfair, William Gibbons, Joseph Clay, John Milledge, and some other gentlemen, most of them members of the council of safety and all zealous in the cause of American liberty, at a late hour on the night of the 11th of May, 1775, broke open the magazine and removed therefrom about six hundred pounds of gunpowder.[2] A portion was sent to Beaufort, South Carolina, for safe keeping, and the rest was concealed in the garrets and cellars of the houses of the captors. Upon ascertaining the robbery, Governor Wright immediately issued a proclamation offering a reward of £150 sterling for the apprehension of the offenders.[3] It elicited no information on the subject, although the actors in the matter are said to have been well known in the community. The popular heart was too deeply stirred, and the "Sons of Liberty" were too potent to

[1] This meeting was held at the residence of Dr. Jones. McCall's *History of Georgia*, vol. ii. p. 43. Savannah. 1816.

[2] In his communication to the Earl of Dartmouth, dated Savannah, May 12, 1775, Sir James Wright estimates the amount stolen at the figure we have named, and says he was informed by the powder receiver that there remained in the magazine "not above 300 lbs. of the King's Powder, and about as much more belonging to the merchants." David Montaigut, Esq., was then the powder receiver of the province.

[3] See the proclamation printed in the *Georgia Gazette* of May 17, 1775.

tolerate any hindrance or annoyance at the hands of Royalist informers. The tradition lives, and is generally credited, that some of the powder thus obtained was forwarded to Cambridge, Massachusetts, and was actually expended by the patriots in the memorable battle of Bunker Hill. We know that the liberty-loving citizens of Savannah, on the 1st of June, 1775, deeply moved by the distresses which the Bostonians were experiencing from the enforcement of the "late acts of a cruel and vindictive Ministry," and ardently desiring that the noble stand they had taken in the defense of those rights to which as men and British subjects they were entitled might be crowned with success, transmitted by the Juliana, Captain Stringham, and under the special conduct of John Eaton LeConte, Esq., sixty-three barrels of rice and one hundred and twenty-two pounds sterling in specie for the relief of such as had recently left the town of Boston. It is not improbable that the powder in question may have been forwarded in some such way at an earlier day.

It had been the custom in the province to celebrate with festivities and military salutes the king's birthday, which occurred on the 4th of June. Notwithstanding the unsettled condition of affairs, Governor Wright was loath to omit the usual formalities. He accordingly, on the 1st of June, issued orders for suitable preparations in anticipation of the event. On the night of the 2d a number of the inhabitants of Savannah came together and, having spiked all the cannon on the bay, dismounted and rolled them to the bottom of the bluff. Such was the pointed insult offered to the memory of his majesty. It was with great difficulty that some of these disabled guns could be drilled and restored to their positions in battery in time to participate in the loyal ceremonies of the 4th,[1] which, as that day chanced to fall on Sunday, were observed on the Monday following.

The first liberty pole erected in Georgia was elevated in Savannah on the 5th of June, 1775. The Royalists were then celebrating the king's birthday. The "Liberty Boys," in testimony of their desire for a reconciliation with the mother country on the basis of a recognition of constitutional principles and colonial privileges, at the feast which they prepared drank as the first regular toast *The King*. The second was *American Liberty*.

Within a week afterwards thirty-four leading friends to the union of the colonies convened in Savannah and adopted a series

[1] See McCall's *History of Georgia*, vol. ii. p. 44. Savannah. 1816.

of spirited resolutions recommending an early association of Georgia with her sister colonies and suggesting an equitable adjustment of the unhappy differences existing between Great Britain and America.

On the 21st of June was published a call signed by Noble W. Jones, Archibald Bulloch, John Houstoun, and George Walton, requesting the inhabitants of the town and district of Savannah to meet at the liberty pole on the following day at ten o'clock in the forenoon for the purpose of selecting a committee to bring about a union of Georgia with the other colonies in the cause of freedom. The alarming situation of affairs in America, and particularly in this province, was urged as a reason for punctual and general attendance.

At the appointed place and designated hour many were present. A council of safety, consisting of William Ewen, president, William LeConte, Joseph Clay, Basil Cooper, Samuel Elbert, William Young, Elisha Butler, Edward Telfair, John Glenn, George Houstoun, George Walton, Joseph Habersham, Francis H. Harris, John Smith, and John Morel, members, and Seth John Cuthbert, secretary, was nominated, with instructions to maintain an active correspondence with the Continental Congress, with the councils of safety in other provinces, and with the committees appointed in the other parishes in Georgia. This business concluded, a number of gentlemen dined at Tondee's tavern. The union flag was hoisted upon the liberty pole, and two field-pieces were posted at its foot. Thirteen patriotic toasts were drunk, each being responded to by a salute from the cannon and by martial music.

One of the resolutions adopted at this meeting of the 22d of June provided that Georgia should not afford protection to, or become an asylum for, any person who, from his conduct, might be properly considered inimical to the common cause of America or who should have drawn upon himself the disapprobation or censure of any of the other colonies. In defiance of this resolution a young man named Hopkins spoke contemptuously of the objects and conclusions of the meeting, and heaped epithets of ridicule upon the heads of the gentlemen composing the committee of public safety. He was arrested by a mob, tarred and feathered, hoisted into a cart illuminated for the occasion, and was paraded for four or five hours through the principal streets of Savannah. Similar punishment was meted out by the parish committee of Augusta in the case of Thomas Brown, who had

openly declared his enmity to the American cause and scoffed at the proceedings of the Continental Congress.[1]

At another meeting of the citizens of Savannah, convened at the residence of Mrs. Cuyler on the 13th of June, the following temperate preamble and resolutions had been unanimously adopted: —

"Whereas public confessions and grievances are much increased by private dissensions and animosities:

"Resolved therefore, nem: con: that we will use our utmost endeavours to preserve the peace and good order of this Province, and that no person behaving himself peaceably and inoffensively shall be molested in his personal property or even in his private sentiments while he expresses them with decency and without any illiberal reflections upon others.

"Whereas the acts for raising a perpetual revenue in America, and all the measures used to enforce these acts are not partial but general grievances, and it is most likely that redress will be obtained by the joint endeavours of all who may think these acts unconstitutional or oppressive, rather than by any measure that might be taken singly by individuals:

"Therefore Resolved That it is the opinion of this meeting (as a proper measure to be pursued because the General Assembly is not now sitting from whom an application to the Throne must be very proper, and as no time should be lost) that a humble, dutiful, and decent petition be addressed to his Majesty expressive of the sense, apprehensions, and feelings of all such as may choose to subscribe such petition, which, it is hoped, will be done by every man in the Province: and it is therefore the wish of this meeting that such a measure be adopted by the Provincial Congress intended to be held on Tuesday the 4th of July next:

"Resolved That the interest of this Province is inseparable from the Mother Country and all the Sister Colonies, and that to separate ourselves from the latter would only be throwing difficulties in the way of its own relief and that of the other Colonies, and justly increasing the resentment of all those to whose distress our disunion might be an addition:

"Resolved That this Province ought to, and it is hoped it will forthwith join the other Provinces in every just and legal measure to secure and restore the liberties of all America, and for

[1] See McCall's *History of Georgia*, vol. ii. pp. 45, 46. Savannah. 1816. See deposition of John Hopkins, mariner, inclosed in *Governor Wright's Dispatch to the Earl of Dartmouth*, dated July 25, 1775.

healing the unhappy divisions now subsisting between Great Britain and her Colonies:

"Resolved That the proceedings of this meeting be laid before the Provincial Congress on Tuesday the 4th of July next, and that Mr. Jamieson and Mr. Simpson do wait upon them with the same as recommended to them by this meeting."

These resolutions were in due course laid before the Provincial Congress on the 5th of July.

This exhibition of the temper of the colony, this increasing avowal of independent sentiments, and the growing tendency to place under a ban all who failed to avow an active sympathy with the complaints and the claims of the united colonies, inspired Governor Wright with alarm. Alluding to the situation of those who still adhered to the Crown, he says:[1] "If these things are done, no man's life or property can be safe, and I look upon mine to be now in danger. There are still many friends to Government here, but they begin to think they are left to fall a sacrifice to the resentment of the people for want of proper support and protection; and, for their own safety, and other prudential reasons, they are falling off and lessening every day. Pardon me, my Lord, but a few troops 12 months ago would have kept all the Southern Provinces out of Rebellion, and I much fear many will now be necessary. My Lord, the King has not a servant better disposed to serve his honor and just rights than I am, and I can lay my hand upon my heart and say with an honest and good conscience that I have done everything in my power to support the just sovereignty of Great Britain, law, government, and good order; but I cannot continue in this very uncomfortable situation without the means of protection and support, and therefore I must humbly request that his Majesty will be graciously pleased to give me leave to return home, which I would propose to do next Spring, or sooner as things may be circumstanced, and would therefore hope to have it as soon as may be." This communication in a despondent vein confesses the utter inability of the colonial authorities either to protect themselves or to repress the almost dominant spirit of rebellion.

To General Gage he expresses his astonishment "that these Southern Provinces should be left in the situation in which they now are: the Governors and King's officers and friends of Government naked and exposed to the resentment of an enraged people." "The Governors," he adds, "had much better be in

[1] *Letter to the Earl of Dartmouth*, dated June 9, 1775.

England than remain in America and have the mortification to see their powers executed by committees and mobs."

Contemporaneously with this communication he addressed a letter to Admiral Graves, commanding his majesty's naval forces on the North American station, informing him that the port of Savannah was blockaded by four or five boats from South Carolina, and praying for immediate assistance. "Nothing less than a sloop of war of some force," he concludes, "would suffice for the protection of the harbor."

In his dispatch, dated Whitehall, July 5, 1775, the Earl of Dartmouth apprises Governor Wright that the "advices received from every quarter contain evidences of an intention in almost all the Colonies to the northward to take up arms against the government of this Kingdom. In this situation it is the King's firm resolution that the most vigorous efforts should be made both by sea and land to reduce his rebellious subjects to obedience: and the proper measures are now pursuing not only for augmenting the army under General Gage, but also for making such addition to our Naval strength in North America as may enable Admiral Graves to make such a disposition of his fleet as that besides the Squadron necessary for the New England station there may be separate squadrons at New York, within the Bay of Delaware, in Chesapeake Bay, and upon the coast of Carolina."

The applications forwarded by Governor Wright to General Gage and to Admiral Graves failed of securing the desired assistance because they never reached their destination. As they were passing through Charlestown, the committee of safety withdrew them from their envelopes and substituted in their stead other dispatches representing the Province of Georgia as quiet, and in need neither of troops nor of war vessels. These being transmitted in the original envelopes completely deceived the respective commanders to whom they were addressed. The original dispatches were, by the committee of safety, forwarded to the Continental Congress. It was not until some time after, when Sir James Wright met General Gage in London and inquired why the requisition for troops had not been filled, that he became aware of the deception practiced.[1]

The suggestion contained in the communication of Governor Wright to Admiral Graves that the port of Savannah was block-

[1] See McCall's *History of Georgia*, vol. ii. p. 46. Savannah. 1816. Stevens' *History of Georgia*, vol. ii. p. 102. Philadelphia. 1859.

aded, may be thus explained. The Carolina committee, notified of the fact that a ship had sailed for Georgia having on board a large supply of powder intended for the use of the Indians and the service of the Royalists, resolved to capture it. Captains Barnwell and Joyner of Beaufort were directed to employ every means at command to seize the expected ship and secure the military stores on board. Embarking forty men, well armed, in two barges, they proceeded to the mouth of the Savannah and encamped on Bloody Point in full view of Tybee Island light-house. The Provincial Congress of Georgia offered every assistance to these officers, and told them, if they so desired, they should be aided in the capture of the British armed schooner stationed in the river. To that end arrangements were made for a junction of the Carolina and Georgia forces. A schooner was commissioned by the congress and placed under the command of Captain Bowen and Joseph Habersham. On the approach of the Georgia schooner the British armed vessel weighed anchor, put to sea, and departed. The Georgia schooner, taking a position beyond the bar, had been on the lookout only a few days when, on the 10th of July, Captain Maitland's ship, direct from London and having the powder on board, was descried in the offing. Perceiving the schooner, and perhaps suspecting some evil design, the ship paused before entering Tybee inlet, and, in a little while, tacked and stood out to sea. Quickly pursued, she was overhauled by Captain Bowen and the Georgians who, assisted by the Carolina party, boarded and took possession of her.

This Georgia schooner[1] is said to have been the first provincial vessel commissioned for naval warfare in the Revolution, and this the first capture made by order of any congress in America. Of the powder taken from this ship nine thousand pounds fell to Georgia as her share of the prize. At the earnest solicitation of the Continental Congress five thousand pounds were sent to Philadelphia and were there issued in supplying the necessities of the embryo armies of the united colonies.[2] One authority states that six tons of gunpowder were taken from this vessel, and Captain McCall estimates the amount at thirteen thousand pounds. It formed a most valuable contribution to the military stores of the nascent republic, and its exploding thunders shook

[1] This schooner was armed with "ten carriage guns and many swivels," and had a complement of fifty men.

[2] See Stevens' *History of Georgia*, vol. ii. p. 103. Philadelphia. 1859. Moultrie's *Memoirs*, etc., vol. i. p. 81. New York. 1802.

the earth upon more than one battlefield during the war of the Revolution.

Among the Georgians[1] engaged in this capture was Ebenezer Smith Platt. Apprehended at a later period by the British, and identified by two of the crew of Maitland's ship as having been concerned in the seizure of this powder, he was sent to England under a charge of treason. He was there closely confined for a long time. Eventually, however, he was recognized as a prisoner of war and exchanged.

From the public and private acts and utterances of the inhabitants it was evident that the period of doubt and hesitation was at an end, and that Georgia was now prepared to link her fortunes with those of her twelve sisters and to loyally participate in the deliberations and the conclusions of the Continental Congress. Meetings were called in every parish in the province to commission delegates to a Provincial Congress which was to assemble at Savannah on the 4th of July, 1775. The entire colony was aroused and resolved upon decisive action. Even Governor Wright, usually so hopeful of the future and entertaining such high impressions of the power of the royal party in Georgia, felt constrained to acknowledge that upon the assembling of that Provincial Congress the probability was its members would not fail to "entirely approve of whatever might be determined upon by the Continental Congress."[2]

He frankly admitted to the Earl of Dartmouth that even those who reprobated the action of the majority and in no wise sympathized with the plans and sentiments of the American Association were not inclined "to expose their lives and property to the resentment of the people when no support or protection was given them by Government." Writing on the 17th of June he informs the ministry that within the past six weeks the situation of affairs had so changed that less than five hundred troops would prove insufficient for the protection of the royal government in the province. Sadly did he lament the absence of a fort, and suggested the propriety of immediately erecting one upon the town common at Savannah, with buildings and barracks suitable for the accommodation of such forces as the king might be pleased to send. "And then," he adds, "the Governor and Officers

[1] McCall says (*History of Georgia*, vol. ii. p. 49, Savannah, 1816) that Bowen and Habersham had thirty men with them, and that they embarked upon the expedition in two open boats. See also *Sir James Wright's Dispatch to the Earl of Dartmouth*, dated Savannah, July 10, 1775.

[2] See his *Letter to Lord Dartmouth*, dated Savannah, June 17, 1775.

would be in a state of security, whereas now they are and must be exposed to every kind of insult and violence the people may choose to offer them."

Persuaded that the royal power was crumbling in the face of the opposition offered by the American colonies, and convinced that he could no longer restrain the province of Georgia from forming a coalition with the American league, he still hoped for some formidable intervention by the Crown which would reduce England's possessions in America to obedience and submission. Without a fort, even the common jail being small and insecure, and with no army or navy at command, he fully realized the insecurity of his official situation, and apprehended, at any moment, loss of property and deprivation of personal liberty.

Memorable in the political annals of the colony were the proceedings of the Provincial Congress which assembled at Savannah on the 4th of July, 1775. Every parish was represented, and the delegates were fitting exponents of the intelligence, the dominant hopes, and the material interest of the communities from which they respectively came. This was Georgia's first secession convention. It placed the province in active sympathy and confederated alliance with the other twelve American colonies, practically annulled within her limits the operation of the objectionable acts of Parliament, questioned the supremacy of the realm, and inaugurated measures calculated to accomplish the independence of the plantation and its erection into the dignity of a State.

The following members, submitting proper credentials, then came together at Tondee's Long Room: —

Town and District of Savannah. — Archibald Bulloch, Noble Wymberley Jones, Joseph Habersham, Jonathan Bryan, Ambrose Wright, William Young, John Glen, Samuel Elbert, John Houstoun, Oliver Bowen, John McCluer, Edward Telfair, Thomas Lee, George Houstoun, Joseph Reynolds, John Smith, William Ewen, John Martin, Dr. Zubly, William Bryan, Philip Box, Philip Allman, William O'Bryan, Joseph Clay, Seth John Cuthbert.

District of Vernonburgh. — Joseph Butler,[1] Andrew Elton Wells, Matthew Roche, Jr.

District of Acton. — David Zubly, Basil Cowper, William Gibbons.

Sea Island District. — Col. Deveaux, Col. De Le Gall, James

[1] Declined taking his seat.

Bulloch, John Morel, John Bohun Girardeau, John Barnard, Robert Gibson.

District of Little Ogeechee. — Francis Henry Harris, Joseph Gibbons, James Robertson.[1]

Parish of St. Matthew. — John Stirk, John Adam Treutlen, George Walton, Edward Jones, Jacob Wauldhauer, Philip Howell, Isaac Young, Jenkin Davis, John Morel, John Flerl, Charles McCay, Christopher Cramer.

Parish of St. Philip. — Col. Butler, William LeConte, Wm. Maxwell, James Maxwell, Stephen Drayton, Adam Fowler Brisbane, Luke Mann, Hugh Bryan.

Parish of St. George. — Henry Jones, John Green, Thomas Burton, William Lord, David Lewis, Benjamin Lewis, James Pugh, John Fulton.

Parish of St. Andrew. — Jonathan Cochran, William Jones, Peter Tarlin, Lachlan McIntosh, William McIntosh, George Threadcraft, John Wereat, Roderick McIntosh, John Witherspoon, George McIntosh, Allan Stuart, John McIntosh, Raymond Demere.

Parish of St. David. — Seth John Cuthbert, William Williams, Sen.

Parish of St. Mary. — Daniel Ryan.

Parish of St. Thomas. — John Roberts.

Parish of St. Paul. — John Walton, Joseph Maddock,[1] Andrew Burns, Robert Rae, James Rae, Andrew Moore, Andrew Burney, Leonard Marbury.

Parish of St. John. — James Screven, Nathan Brownson, Daniel Roberts, John Baker, Sen., John Bacon, Sen., James Maxwell, Edward Ball, William Baker, Sen., William Bacon, Jr., John Stevens, and John Winn, Sen.

The congress was organized by the election of Archibald Bulloch as president and of George Walton as secretary. Both these officers were unanimously chosen.

Its organization having been perfected, the body adjourned to the meeting-house of the Rev. Dr. John J. Zubly, who preached a sermon on the alarming state of American affairs, selecting as his text "So speak ye and so do as they that shall be judged by the law of liberty."

On the following day a resolution was adopted requesting Governor Wright to appoint a day of fasting and prayer to be observed throughout the province in the hope that a "happy

[1] Declined taking his seat.

reconciliation might soon take place between America and the Parent State." The proceedings of the meeting of the citizens of Savannah, convened at Mrs. Cuyler's residence on the 13th of June, certified by John Mullryne, chairman, were formally presented by John Jamieson and John Simpson, Esquires, and considered.

A motion was made and carried "that this Congress do put this Province upon the same footing with our sister Colonies," and the consummation of this important matter was made the special order of the day for the morrow.

On the 6th of July, after careful consideration and solemn deliberation, the following important resolutions were unanimously adopted: —

"1st. Resolved: That this Province will adopt and carry into execution all and singular the measures and recommendations of the late Continental Congress.

"2nd. Resolved: In particular, that we, in behalf of ourselves and our constituents, do adopt and approve of the American Declaration or Bill of Rights published by the late Continental Congress, and also of their several resolves made in consequence of some infractions thereof.

"3rd. Resolved: That we will not receive into this Province any goods, wares, or merchandise shipped from Great Britain or Ireland, or from any other place, any such goods, wares or merchandise as shall have been exported from Great Britain or Ireland after this day; nor will we import any East India tea from any part of the world; nor any molasses, syrups, paneles, coffee or pimento, from the British Plantations, or from Dominica; nor wines from Madeira or the Western Islands, nor foreign indigo.

"4th. Resolved: That we will neither import nor purchase any slave, imported from Africa or elsewhere, after this day.

"5th. Resolved: As a non-consumption agreement strictly adhered to will be an effectual security for the observation of the non-importation, we, as above, solemnly agree and associate, that from this day we will not purchase or use any tea imported on account of the East India Company, or any on which a duty hath or shall be paid; and we will not purchase or use any East India tea whatever; nor will we, nor shall any person for or under us, purchase any of those goods, wares, or merchandise we have agreed not to import, which we shall know or have cause to suspect were imported after this day.

"6th. Resolved: The earnest desire we have not to injure our

fellow-subjects in Great Britain and Ireland, and the West Indies, induces us to suspend a non-exportation until the tenth day of September, 1775, at which time, if the acts and parts of acts of the British Parliament hereinafter mentioned are not repealed, we will not directly or indirectly export any merchandise or commodity whatsoever to Great Britain, Ireland, or the West Indies, except rice to Europe.

"7th. Resolved: Such as are merchants and use the British and Irish trade, will give orders as soon as possible to their factors, agents, and correspondents in Great Britain and Ireland, not to ship any goods to them on any pretence whatever, as they cannot be received into this Province; and if any merchant residing in Great Britain or Ireland shall directly or indirectly ship any goods, wares, or merchandise for America in order to break the said non-importation agreement, or in any manner contravene the same, on such unworthy conduct being well attested, it ought to be made public, and on the same being so done, we will not thenceforth have any commercial connections with such merchants.

"8th. Resolved: That such as are owners of vessels will give positive orders to their captains or masters not to receive on board their vessels any goods prohibited by the said non-importation agreement, on pain of immediate dismission from their service.

"9th. Resolved: We will use our utmost endeavours to improve the breed of sheep, and increase their numbers to the greatest extent, and to that end we will kill them as sparingly as may be, especially those of the most profitable kind, nor will we export any to the West Indies or elsewhere; and those of us who are or may become overstocked with, or can conveniently spare any sheep, will dispose of them to our neighbours, especially to the poorer sort, on moderate terms.

"10th. Resolved: That we will, in our several stations, encourage frugality, economy, and industry, and promote agriculture, arts, and the manufactures of British America, especially that of wool; and will discountenance and discourage every species of extravagance and dissipation, especially horse-racing, and every kind of gaming, cock-fighting, exhibitions of shows, plays, and other expensive diversions and entertainments; and on the death of any relation or friend, none of us or any of our families will go into any farther mourning dress than a black crape or ribbon on the arm or hat for gentlemen, and a black ribbon or necklace for ladies, and we will discontinue the giving of gloves and scarfs at funerals.

"11th. Resolved: That such as are vendors of goods or merchandise will not take advantage of the scarcity of goods that may be occasioned by this Association, but will sell the same at the rates we have been respectively accustomed to do for twelve months last past; and if any vendor of goods or merchandise shall sell any such goods or merchandise on higher terms, or shall in any manner, or by any device, violate or depart from this agreement, no person ought, nor will any of us deal with any such person, or his or her factor or agent, at any time thereafter, for any commodity whatever.

"12th. Resolved: In case any merchant, trader, or other persons shall attempt to import any goods or merchandise into this Province after this day, the same shall be forthwith sent back again without breaking any of the packages thereof.

"13th. Resolved: That a Committee be chosen in every town, district and parish within this Province by those who pay towards the General Tax, whose business it shall be attentively to observe the conduct of all persons touching this Association; and when it shall be made to appear to the satisfaction of a majority of any such Committee that any person within the limits of their appointment has violated this Association, that such a majority do forthwith cause the truth of the case to be published in the Gazette, to the end that all such foes to the rights of British America may be publicly known and universally contemned as the enemies of American liberty, and thenceforth we will break off all connections with him or her.

"14th. Resolved: That a Committee of Correspondence to this Province do frequently inspect the entries of the Custom House, and inform the Committees of the other Colonies which have acceded to the Continental Association, from time to time, of the true state thereof, and of every other material circumstance that may occur relative to this Association.

"15th. Resolved: that all manufactures of this Province be sold at reasonable prices, so that no undue advantage be taken of a future scarcity of goods.

"16th. Resolved: And we do further agree and resolve, that we will have no trade, commerce, dealings or intercourse whatsoever with any Colony or Province in North America which shall not accede to, or which shall hereafter violate this Association, but will hold them as unworthy of the rights of freemen and as inimical to the liberties of their country.

"And we do solemnly bind ourselves and our constituents,

under the ties of virtue, honour, and love of our country, to adhere to this Association until such parts of the several acts of Parliament passed since the close of the last war as impose, or continue duties upon tea, molasses, syrups, paneles, coffee, sugar, pimento, indigo, foreign paper, glass and painters' colours, imported into America, and extend the powers of the Admiralty Courts beyond their ancient limits, deprive American subjects of trial by jury, authorize the judge's certificate to indemnify the prosecutor from damages that he might otherwise be liable to from a trial by his peers, require oppressive security from claimants of ships or goods seized before he is allowed to defend his property, are repealed; and until that part of the act of the 12th George III, ch: 24, entitled 'An Act for the better securing his Majesty's Dock-yards, Magazines, Ships, Ammunition, and Stores,' by which any person charged with committing any of the offences therein described in America, may be tried within any Shire or County within the Realm, is repealed; and until the four acts passed in the last session of Parliament, viz, that for stopping the port and blocking up the harbour of Boston, that for altering the charter and government of the Massachusetts Bay, and that which is entitled 'An Act for the better Administration,' &c, and that for 'extending the limits of Quebec,' &c are repealed; and until the two acts passed in the present session of Parliament, the one entitled 'A Bill to restrain the trade and commerce of the Colonies of New Jersey, Pennsylvania, Maryland, Virginia, and South Carolina to Great Britain and Ireland and the British islands in the West Indies, under certain conditions and limitations,' and the other 'An Act commonly called the Fishery Bill,' are likewise repealed."

From Governor Wright a communication was received on the 7th, in which, although declaring that he could not recognize the congress as a constitutional body, he announced, in view of the loyal and dutiful terms in which the request was preferred, and in consideration of the good ends proposed, that he would certainly appoint a day of fasting and prayer to be observed throughout the province.

In pursuance of a resolution to select five persons to represent the province of Georgia in the Continental Congress, the convention proceeded to a choice, and John Houstoun, Archibald Bulloch, Rev. Dr. Zubly, Noble W. Jones, and Dr. Lyman Hall were duly elected.[1] Upon a suggestion from Dr. Zubly

[1] Any three of them to constitute a quorum.

that he was greatly surprised at being chosen a delegate, and that he could not accept the honor without the consent of his congregation, Messrs. Noble W. Jones and John Houstoun were appointed a committee to interview the members of Dr. Zubly's church and request their permission that he absent himself from his charge for a season in order that he might perform the important duties devolved upon him by the congress. Four days afterwards those gentlemen reported that they had conferred with the congregation and that the members expressed a willingness "to spare their minister for a time for the good of the common cause." Dr. Zubly thereupon declared his acceptance of the appointment, and thanked the congress for this mark of honor and confidence.

Upon the recommendation of the convention a secret committee of seven was nominated by the president. Its members were charged to be vigilant and active in the discovery of matters which might affect the public, and were instructed to lay all important intelligence before the president of this Congress or, during its recess, before the president of the Council of Safety in order that "the evil designs of wicked men" might be frustrated at the earliest moment.

Dr. Zubly was selected to prepare a petition to the king "upon the present unhappy situation of affairs," and that gentleman and Messrs. John Smith, William Young, William Le Conte, and William Gibbons were directed to address a letter to the president of the Continental Congress acquainting him fully with the proceedings of this congress.

A committee consisting of Dr. Zubly, Basil Cowper, John Walton, Joseph Clay, and Edward Telfair was raised to frame an address to be presented by congress to his excellency Governor Wright.

On Saturday, the 8th, congress resolved itself into a committee of the whole "to consider ways and means for raising and sinking the sum of ten thousand pounds sterling to defray the necessary services of this Province in the present alarming and distracted state of affairs." A conclusion in regard to this matter was not reached until the 12th, when the following resolutions were adopted: —

"Resolved that the Congress being a full representation of the whole Province, the members of the same, their constituents, and all others resident or holding property within the same, are bound to contribute by an equal and general tax towards the sinking the ten thousand pounds.

"Resolved that this Congress, while sitting, and the Council of Safety in its recess, have power to issue certificates from time to time as occasion shall require, to the amount of ten thousand pounds sterling, and that all such certificates shall be signed by the treasurers and at least three of the members of the Council of Safety.

"Resolved that any person who shall not receive any such certificate in payment, will be guilty of a breach of the public faith, and ought to be considered as an enemy to the Province and treated accordingly.

"Resolved that the said certificates be sunk in three years after a reconciliation shall take place between Great Britain and the Colonies."

A committee of intelligence was appointed, consisting of William Young, David Zubly, Stephen Drayton, Daniel Roberts, John Glen, Edward Telfair, William Ewen, Joseph Clay, and George Walton.

Proclaiming in terms most emphatic their conception of the natural and constitutional rights which appertained to them as citizens of Georgia and subjects of Great Britain; testifying their determined opposition to the late objectionable acts of Parliament, their admiration of the conduct of New England, and their resolution to share the fortunes of their sister colonies; manifesting their willingness to observe all orders of the Continental Congress, indicating their loyalty to America, and suggesting such measures as they deemed appropriate in the present perplexed condition of public affairs, the members of Congress speaking for themselves, their constituents, and for the entire province of Georgia, on the 10th of July, 1775, passed the following preamble and resolutions: —

"Whereas, by the unrelenting fury of a despotic Ministry, with a view to enforce the most oppressive acts of a venal and corrupted Parliament, an army of mercenaries, under an unfeeling commander, have actually begun a civil war in America; and whereas, the apparent iniquity and cruelty of these obstructive measures have, however, had this good effect — to unite men of all ranks in the common cause; and whereas, to consult on means of safety and the method of obtaining redress, the good people of this Province of Georgia have thought proper to appoint a Provincial Congress; the Delegates met at the said Congress, now assembled from every part of the Province, besides adopting the resolutions of the late Continental Congress, find it

prudent to enter into such other resolutions as may best express their own sense, and the sense of their constituents on the present unhappy situation of things, and therefore think fit and necessary to resolve as follows, viz. : —

"Resolved, That we were born free, have all the feelings of men, and are entitled to all the natural rights of mankind.

"Resolved, That by birth or incorporation we are all Britons, and whatever Britons may claim as their birthright is also ours.

"Resolved, That in the British Empire, to which we belong, the Constitution is superior to every man or set of men whatever, and that it is a crime of the deepest dye in any instance to impair, or take it away, or deprive the meanest subject of its benefits.

"Resolved, That that part of the American Continent which we inhabit was originally granted by the Crown, and the charter from Charles the Second expressly makes its constitutional dependence upon the Crown only.

"Resolved, That those who would now subject all America, or this Province, to dependency upon the Crown and Parliament, are guilty of a very dangerous innovation which in time will appear as injurious to the Crown as it is inconsistent with the liberty of the American subject.

"Resolved, That by the law of nature and the British Constitution no man can be legally deprived of his property without his consent given by himself or his representatives.

"Resolved, That the acts of the British Parliament for raising a perpetual revenue on the Americans by laying a tax on them without their consent and contrary to their protestations, are diametrically opposite to every idea of property, to the spirit of the Constitution, and at one stroke deprive this vast continent of all liberty and property, and as such must be detested by every well-wisher to Great Britain and America.

"Resolved, That the subsequent laws, made with a view to enforce these acts, viz. : the Boston Port Bill — the Alteration of their Charter — the Act to carry beyond sea for Trial — and (what refines upon every species of cruelty) the Fishery Bill, are of such a complexion that we can say nothing about them for want of words to express our abhorrence and detestation.

"Resolved, That the loyalty, patience, and prudence of the inhabitants of New-England under their unparalleled pressures having been construed into timidity and a dread of regular troops, a civil war in support of acts extremely oppressive in themselves

hath actually been begun, and there is too much reason to believe that plans have been in agitation big with everything horrible to other Provinces; plans as rash, barbarous and destructive as the cause which they were intended to serve.

"Resolved, That in these times of extreme danger, our Assembly not being permitted to sit, we must either have been a people without all thought or counsel, or have assembled as we now are in Provincial Congress to consult upon measures which, under God, may prove the means of a perpetual union with the Mother Country, and tend to the honour, freedom and safety of both.

"Resolved, That this Province bears all true allegiance to our own rightful Sovereign, King George the Third, and always will and ought to bear it agreeable to the Constitution of Great Britain, by virtue of which only the King is now our Sovereign, and which equally binds Majesty and subjects.

"Resolved, That we are truly sensible how much our safety and happiness depend on a constitutional connection with Great Britain, and that nothing but the being deprived of the privileges and natural rights of Britons could ever make the thought of a separation otherwise than intolerable.

"Resolved, That in case his Majesty or his successors shall at any time hereafter make any requisition on the good people of this Province by his representative, it will be just and right that such sums should be granted as the nature of the service may require, and the ability and situation of this Province will admit of.

"Resolved, That this Province join with all the Provinces in America now met by Delegates in Continental Congress, and that John Houstoun and Archibald Bulloch Esquires, the Rev: D^{r} Zubly, Lyman Hall, and Noble Wymberley Jones Esqr^{s} be the delegates from this Province, and that any three constitute a quorum for that purpose.

Resolved, That a Committee be appointed whose duty it shall be to see that the resolutions of the Continental Congress and Provincial Congress be duly observed, and that every person who shall act in opposition thereto have his name transmitted to the Continental Congress, and that his misdeeds be published in every American paper.

"Resolved, That with all such persons, except the indispensable duties we owe to all mankind (bad men and enemies not excepted) we will have no dealings nor connection: and we extend this our resolution also to all such persons or corporations in Great Britain who have shown themselves enemies to America.

"Resolved, That we will do what in us lies to preserve and promote the peace and good order of this Province; and should any person become an innocent sufferer on account of these grievances, we will do whatever we justly may for his relief and assistance.

"Resolved, That in such calamitous times as the present, every possible indulgence ought to be given to honest debtors; that it would be ungenerous, (unless there appear intention of fraud,) in any gentleman of the law to sue without previous notice; and any person so sued may apply to the Committee; and should it appear to them that the creditor is in no danger of losing his money, or that he can be properly secured, they shall interpose their friendly offices to persuade him to drop the prosecution; and every prosecutor that shall appear to take advantage of the confusion of the times to distress his debtor, ought to be publicly pointed out and held in abhorrence.

"Resolved, That notwithstanding in a late Bill for restraining the trade of several Provinces in America this Province is excepted, we declare that we look upon this exception rather as an insult than a favor; as being meant to break the union of the Provinces, and as being grounded on the supposition that the inhabitants of such excepted Province can be base enough to turn the oppression of America into a mean advantage." [1]

[1] See *Georgia Gazette* of July 12, 1775, No. 614.

CHAPTER X.

ADDRESS BY THE PRESIDENT OF THE PROVINCIAL CONGRESS TO GOVERNOR WRIGHT. — REV. HADDON SMITH SILENCED. — GOVERNOR WRIGHT POWERLESS. — ARTICLES OF ASSOCIATION ADOPTED BY THE PROVINCIAL CONGRESS. — QUALIFICATION OF VOTERS. — REPRESENTATION. — ADDRESS TO THE INHABITANTS OF GEORGIA. — PETITION TO THE KING. — GEORGIA RECEIVED INTO THE CONFEDERATED SISTERHOOD. — REPRESENTATIVES TO THE CONTINENTAL CONGRESS. — ARCHIBALD BULLOCH. — JOHN HOUSTOUN. — REV. DR. J. J. ZUBLY. — CASE OF EBENEZER MCCARTY. — THE MILITIA PURGED OF ITS LOYAL ELEMENT. — THE LIBERTY BOYS IN COMPLETE POSSESSION OF THE PROVINCE. — ORGANIZATION OF THE COURTS. — MEMBERS OF THE COUNCIL OF SAFETY. — OFFICERS APPOINTED FOR THE CONTINENTAL BATTALION. — GEORGIA GOVERNED BY THE COUNCIL OF SAFETY.

THE following address, signed by the president of the Provincial Congress, was presented to Governor Wright by Stephen Drayton, Edward Telfair, William LeConte, John Walton, George Houstoun, and Philip Box, a committee designated for that purpose: —

"*To his Excellency, Sir James Wright, Baronet, Captain-General, and Governor-in-Chief in and over his Majesty's Province of Georgia, Chancellor and Vice-Admiral of the same.*

"May it please your Excellency.

"We, his Majesty's dutiful and loyal subjects, the Delegates of this Province in Provincial Congress met, beg leave to address your Excellency.

"In these very critical and alarming times, the good people of this Province found themselves under an absolute necessity to take some measures for the security and preservation of their liberties and every thing that is near and dear to them; and they have accordingly chosen a large number of persons to meet together at Savannah to consult on the means to obtain redress under our many and very heavy grievances. These, being accordingly met, (to be distinguished from the usual representation,) have styled themselves a Provincial Congress, and from the number and character of their names, which your Excellency may see in our last Gazette, your Excellency will be convinced

the Province was never more fully represented in any Assembly; though possibly this measure never would have taken place had we not, from several successive prorogations or adjournments, but too much reason to fear your Excellency had received very strong instructions not to suffer the Assembly to enter into any measures to secure the rights of America, or even to petition for relief, unless in terms which would have been giving up the rights of, and fixing lasting disgrace on, the petitioners.

"Although there is no doubt but a great majority of the inhabitants of this Province always looked upon the claim of Parliament to take away the property of Americans as illegal and oppressive, yet, from a variety of causes not unknown to your Excellency, this Province in the American chain has hitherto been the defaulting link. We have now joined with the other Provinces in the Continental Congress, and have sent a petition to his Majesty, appointed delegates to the American Congress, and entered into such resolutions — which we mean inviolably to adhere to — as will convince the friends and foes of America that we would not live unworthy of the name of Britons, or labour under the suspicion of being unconcerned for the rights and freedom of America.

"Extracts of some letters which are inserted in Parliamentary proceedings widely differ from what must appear to every unprejudiced person to be the real state of the Province.

"We are not acquainted with an individual in Georgia that looks upon the claims of Parliament as just, and all men speak with abhorrence of the measures made use of to enforce them. Our fellow-subjects who formerly entered a dissent which we find was transmitted to the Minister in terms that bespeak the great pleasure it gave the transmitter, now generally say that they never differed from America as to the *reality* of grievances, but only in the *mode* of obtaining redress.

"Though candour must allow these mutilated extracts laid before Parliament were probably rather designed by the Minister to screen himself and justify his own measures than to give a just and true account of what information he might have received, yet we cannot help observing, the general purport of these letters seems to have a much greater regard to the designs of the Minister than to give an impartial account of the real state of things. Other Provinces, no doubt, if they find themselves mentioned in any part of them, will view them in what light they may think fit; but as to any prejudicial informations they may

contain against many persons in this Province, while it is not to be expected that they will give up their feelings as private men, your Excellency may be assured we shall always pay due respect to his Majesty's Representative, and shall with great pleasure acknowledge every service your Excellency may hereafter render to Great Britain and America whose interest we know, and whose connection we wish, to be forever inseparable. Your Excellency may be assured these are objects which we have greatly at heart, and shall ever do what in us lies towards a reconciliation with our Parent State on constitutional principles, as well as endeavour to preserve the peace and good order of the Province."[1]

Although Governor Wright, to use his own language, would not "condescend to take any notice of this Address," which was exhibited to him on the 13th of July, he thought it his duty, five days afterwards, to forward a copy of it to Lord Dartmouth with a lengthy communication defending himself against the charge of favoring the designs of the minister instead of giving an impartial account of the true state of affairs in the province. In that letter he informs his lordship that congress, on the 13th of July, gave to two messengers from the council of safety in Charlestown five thousand pounds of gunpowder, and also a brass field-piece and carriage belonging to his majesty. His inability to prevent this action of the "Liberty People" he freely confesses. Again does he humbly request royal permission to return to England that he might resign the government of the province. In truth, that government had already been practically wrested from him. He was simply a *locum tenens*, beholding, reporting, and criticising, but without power to stay the onward march of events or to shape them to the will of his majesty. Even this unsatisfactory office was doomed to early extinction.

The Reverend Haddon Smith, rector of the parish of Christ Church, having refused to deliver a sermon and observe the fast proclaimed by the Continental Congress, was ordered by the vigilance committee to preach no more in Savannah. He had also reflected upon the conduct of the Provincial Congress, and was deemed an avowed enemy to the liberties of the province. Heeding the injunction, he did not attempt to officiate any longer in the town but, crossing the river, sought refuge in Carolina.[2]

[1] See *Georgia Gazette* of July 18, 1775, No. 616.

[2] See *Letter of Governor Wright to the Earl of Dartmouth*, dated July 29, 1775, and inclosed deposition of the Rev. Mr. Haddon Smith.

On the 13th of July the Provisional Congress unanimously adopted this ARTICLE OF ASSOCIATION: —

"GEORGIA. Being persuaded that the salvation of the rights and liberties of America depend, under God, on the firm union of the inhabitants in its vigorous prosecution of the measures necessary for its safety, and convinced of the necessity of preventing the anarchy and confusion which attend the dissolution of the powers of government, we, the freemen, freeholders, and inhabitants of the Province of Georgia, being greatly alarmed at the avowed design of the Ministry to raise a revenue in America, and shocked by the bloody scene now acting in the Massachusetts Bay, do, in the most solemn manner, resolve never to become slaves; and do associate, under all the ties of religion, and honour, and love to our country, to adopt and endeavour to carry into execution whatever may be recommended by the Continental Congress, or resolved upon by our Provincial Convention appointed for preserving our constitution and opposing the execution of the several arbitrary and oppressive acts of the British Parliament, until a reconciliation between Great Britain and America, on constitutional principles, which we most ardently desire, can be obtained; and that we will in all things follow the advice of our General Committee appointed, respecting the purposes aforesaid, the preservation of peace and good order, and the safety of individuals and private property."

John Smith, Basil Cowper, George Houstoun, Joseph Clay, William Young, Philip Box, Seth John Cuthbert, William O'Bryan, George Walton, William LeConte, William Gibbons, Samuel Elbert, Edward Telfair, and Oliver Bowen were designated as a committee "to present this Association to all the inhabitants of the Town and District of Savannah to be signed." Expedition was enjoined, and these gentlemen were requested to furnish the general committee with the names of all who declined to affix their signatures.

The qualification of voters to elect delegates to future congresses having been discussed it was, on motion of Mr. Drayton, submitted on the 14th of July, determined that every man who contributed towards the general tax should be held qualified to vote. The following representation was also agreed upon: "The Town and District of Savannah shall have seventeen members; District of Little Ogeechee, three; Vernonburgh, two; Acton, two; Sea Islands, three; Goshen and Abercorn, two; Parish of St. Matthew, seven; St. George, nine; St. Paul,

nine; St. Philip, seven; St. John, twelve; St. Andrew, nine; St. David, three; St. Patrick, two; St. Thomas, two; St. Mary, two; St. James, two; Ceded Lands, three; and that the President and thirty four members do constitute a Congress to proceed upon business."

On the 15th, Stephen Drayton, Samuel Elbert, Dr. Nathan Brownson, and Peter Tarlin were commissioned to prepare a report upon the militia of the province, with such suggestions as they might deem proper for its more efficient organization.

That the inhabitants of Georgia might be intelligently advised of the disputes existing between Great Britain and the American provinces, and be correctly informed of the proceedings of this congress, the Reverend Dr. Zubly, Dr. Noble W. Jones, William Young, and George Walton were selected to frame a suitable address. As published by those gentlemen that address reads as follows: —

"*To the Inhabitants of the Province of Georgia.*

"FELLOW-COUNTRYMEN, — We are directed to transmit to you an account of the present state of American affairs, as well as the proceedings of the late Provincial Congress.

"It is with great sorrow we are to acquaint you, that what our fears suggested, but our reason thought impossible, is actually come to pass.

"A civil war in America is begun. Several engagements have already happened. The friends and foes of America have been equally disappointed. The friends of America were in hopes British troops could never be induced to slay their brethren. It is, however, done, and the circumstances are such as must be an everlasting blot on their character for humanity and generosity. An unfeeling Commander has found means to inspire his troops with the same evil spirit that possesseth himself. After the starving, helpless, innocent inhabitants of Boston delivered up their arms and received his promise that they might leave that virtuous, devoted town, he is said to have broke his word; and the wretched inhabitants are still kept to fall a prey to disease, famine, and confinement. If there are powers which abhor injustice and oppression, it may be hoped such perfidy cannot go long unpunished.

"But the enemies of America have been no less disappointed. Nothing was so contemptible in their eyes as the rabble of an American militia; nothing more improbable than that they would dare to look regulars in the face, or stand a single fire. By this

time they must have felt how much they were mistaken. In every engagement the Americans appeared with a bravery worthy of men that fight for the liberties of their oppressed country. Their success has been remarkable; the number of the slain and wounded on every occasion vastly exceeded theirs, and the advantages they gained are the more honourable, because, with a patience that scarce has an example, they bore every act of injustice and insult till their lives were attacked, and then gave the fullest proof that the man of calmness and moderation in counsel is usually also the most intrepid and courageous in battle.

"You will doubtless lament with us the hundreds that died in their country's cause; but does it not call for greater sorrow that thousands of British soldiers sought and found their deaths when they were active to enslave their brethren and their country? However irritating all these proceedings, yet so unnatural is this quarrel, that every good man must wish and pray that it may soon cease; that the injured rights of America may be vindicated by milder means; and that no more blood may be shed, unless it be of those who fomented and mean to make an advantage of these unhappy divisions.

"From the proceedings of the Congress, a copy of which accompanies the present, you will be convinced that a reconciliation on honorable principles is an object which your delegates never lost sight of. We have sent an humble and manly petition to his Majesty: addressed his representative, our Governor; provided, as far as in our power, for internal quiet and safety; and Delegates will soon attend the General Congress to assist and coöperate in any measure that shall be thought necessary for the saving of America.

"His Excellency, at our request, having appointed the 19th inst as a Day of Humiliation, and news being afterwards received that the Continental Congress had recommended the 20th inst to be observed as such, both days have been observed with a becoming solemnity; and we humbly hope many earnest prayers have been presented to the Father of Mercies on that day through this extensive continent, and that He has heard the cries of the destitute and will not despise their prayers.

"You will permit us most earnestly to recommend to you a steady perseverance in the cause of Liberty, and that you will use all possible caution not to say or do anything unworthy of so glorious a cause; to promote frugality, peace, and good order, and, in the practice of every social and religious duty, patiently

to wait the return of that happy day when we may quietly sit under our vine and fig tree, and no man make us afraid." [1]

The following is the petition which was submitted to the king: "*To the King's most excellent Majesty.*

"May it please your Majesty: Though we bring up the rear of American Petitioners and, from the fate of so many petitions presented to your Majesty from America, your great city of London, and others of your European subjects, have a most melancholy prospect, we still hope that He by whom Kings rule and to whom monarchs are accountable, will incline you to receive and pay some regard to our most humble and faithful representation.

"In times like these, when the edge of present feelings is blunted by the expectation of calamities still greater, we must take the liberty to speak before we die. We would acquaint our Sovereign with things which greatly affect his interest. We would endeavour to waken the feelings and pity of our common father. Hear us therefore, that God may hear you also.

"Your Majesty is the rightful Sovereign of the most important empire of the universe.

"The blessings of Providence on your arms have put a country in America under you of greater importance and extent than several kingdoms in Europe. In this large extent of territory, by some late acts, Popery is not only tolerated (which we conceive would have been but an act of justice), but an indulgence has been granted, little short of a full establishment, to a religion which is equally injurious to the rights of Sovereign and of mankind. French and arbitrary laws have there by authority taken the place of the just and mild British Constitution, and all this has been done with a professed and avowed design to overawe your Majesty's ancient Protestant and loyal subjects, some of whom had no small share in the merit of that conquest.

"Acts to raise a perpetual revenue on the Americans without their consent have been enacted, which, at one stroke, turn all your American subjects into slaves, and deprive them of that right which the most oppressive taskmaster does not deny to the servant bought with his own money. Experience must now have shown, as it will clearer should these acts be enforced, that instead of increasing the revenue, or lessening the burdens of your European subjects, they can only serve to increase their taxation.

"Laws which we conceive fraught with so much injustice have been attempted to be enforced by equal cruelty, and whenever

[1] See supplement to the *Georgia Gazette*, No. 616.

we thought ourselves at the height of our troubles, your Majesty's Ministry have strained their unhappy ingenuity to find out new methods of distress; and, it is believed, methods have been more than thought of too shocking to human nature to be even named in the list of grievances suffered under a British king.

"The goodness of God hath made your Majesty the father of a very numerous issue, on whom we place the pleasing hopes of a Protestant succession; but your Majesty's arms in America now every day make mothers childless, and children fatherless. The blood of your subjects has been shed with pleasure rather than with pity, for an action which amounted to no more, even under the worst construction, than an irregular zeal for constitutional liberty; and without any step taken to find out the supposed guilty persons, the capital of your American dominions has been blocked up, deprived of its trade, and its poor of subsistence. Thousands, confessedly innocent, have been starved, ruined, and driven from, or kept like prisoners in, their own habitations; their cries and blood innocently shed have undoubtedly reached, and daily do reach, His ears who hateth injustice and oppression.

"Believe us, great Sir, America is not divided; all men (Crown officers not excepted) speak of these acts and measures with disapprobation, and if there has been some difference of opinion as to the mode of relief, the rigorous experiments which your Ministry thought fit to try on the Americans have been the most effectual means to convince these of the iniquitous designs of your Ministry and to unite them all as in a common cause. Your Majesty's Ministers, after thus introducing the demon of discord into your empire, and driving America to the brink of despair, place all their dignity in measures obstinately pursued because they were once wantonly taken. They hearkened to no information but what represented Americans either as rebels or cowards. Time will every day make it clearer how much they were infatuated and mistaken. Too long, we must lament, have these men imposed on your paternal affection. Deign now, most gracious Prince, in their room, to hearken to the cries of your loyal and affectionate subjects of this extensive Continent; let the goodness of your heart interpose between weak or wicked Ministers, and millions of loyal and affectionate subjects. No longer let the sword be stained with the blood of your own children; recall your troops and fleets; and if any misunderstanding remains, let the Americans be heard, and justice and equity take place. Let us be ruled according to the known principles of our excellent

Constitution, and command the last shilling of our property and the last drop of our blood in your service.

"Uncertain as to the event of this our humble representation, it affords us a relief that we may, unrestrained, apply to the great and merciful Sovereign of the whole earth, who will not despise the prayer of the oppressed; and to Him we most ardently pray that, the wicked being taken away from before the king, the king's throne may be established in righteousness.

"By order of the Congress, at Savannah, this 14th day of July.

A. BULLOCH, *President*." [1]

Having thus memorialized the General Congress, the governor, the citizens of Georgia, and the king, having framed a bill of rights and proclaimed the privileges for which they were resolved to contend, having introduced Georgia into the fold of the confederated provinces, having strengthened the hands of the council of safety and appointed committees of correspondence and of intelligence, having provided the ways and means for future sessions of congress, and, above all, having demonstrated the inability of the king's servants to control the province in the present crisis, this assembly, perhaps the most important ever convened in Georgia, adjourned on the 17th of July, subject to further call up to the 20th of August.

Official notice that Georgia had acceded to the general union and elected deputies to attend at Philadelphia reached the Continental Congress on the 20th of July, the day set apart to be observed as a season of prayer and fasting, and was received with manifestations of profound joy. Welcomed as the thirteenth of the united colonies, she was at once admitted to all the privileges of the political sisterhood, and the resolutions of the 17th of May, which had placed her, with the exception of the parish of St. John, under the ban of colonial non-intercourse, were immediately rescinded.

Of the five delegates selected by the Provincial Congress to represent Georgia in the Continental Congress, Messrs. Bulloch, Houston, and Zubly repaired to Philadelphia and participated in the deliberations of that body at an adjourned session held on the 13th of September, 1775. Dr. Lyman Hall, who had been present at a previous meeting as a delegate commissioned by the parish of St. Paul, was now absent; and Dr. Noble W. Jones, than whom the "Sons of Liberty" claimed none more competent, courageous, and accomplished, it is said, in deference to the en-

[1] See supplement to the *Georgia Gazette*, No. 630.

treaties of his aged father, Colonel Noble Jones, a trusted friend of Oglethorpe, who, as military officer, surveyor, member of council, and provincial treasurer, had, during a long life, rendered invaluable aid to the colony and maintained a faithful allegiance to the Crown, and who, now trembling upon the verge of the grave, bespoke the companionship of his distinguished and devoted son, postponed for the while his service to the province in this prominent capacity that he might respond to his filial obligations.

Georgia was ably represented. From the inception of the difficulties between Great Britain and her colonies Archibald Bulloch had been a firm friend to the liberties of America. No one stood higher in the respect of his fellow citizens, and for him the most pronounced honors were in store. John Houstoun too was amongst the most zealous advocates of the rights of the colonies. Of honorable descent and liberal education, of acknowledged bravery and commanding influence, his memory is indissolubly associated with some of the best traditions of the epoch and community in which he dwelt.

Of the early labors of the Reverend Dr. Zubly in the cause of freedom, education, and religion one may not speak except in praise. His course in the first Continental Congress which he attended was consistent and patriotic. The acceptable pastor of a large Presbyterian congregation in Savannah, learned and eloquent, public spirited, and of marked ability, his voice and pen had been freely employed in the vindication of the rights of the colonies against the encroachments of Parliament. Discussing the suggestions made in England to arm the slaves in order to reduce their masters to obedience to British rule, he wrote [1] to the Earl of Dartmouth as follows: "Proposals publicly made by ministerial writers relative to American domestics laid the Southern Provinces under the necessity of arming themselves. A proposal to put it in the power of domestics to cut the throats of their masters can only serve to cover the proposers and abettors with everlasting infamy. The Americans have been called 'a rope of sand,' but *blood* and *sand* will make a firm cementation, and enough American blood has been already shed to cement them together into a threefold cord not easily to be broken." In the deliberations and utterances of the Provincial Congress in Savannah, no member had borne a more prominent part.

When, however, he found himself confronted with the deter-

[1] On the 3d of September, 1775.

mination of the Continental Congress to sever the ties binding the American colonies to the mother country, and to erect on these shores a separate, independent, and republican government, his heart failed him and he opened a correspondence with Sir James Wright in which he revealed to him the plans of congress and warned him of the impending rupture. His conduct and language exciting suspicion, he was watched, and one of his treasonable letters was seized. This fact was intimated by Chase of Maryland upon the floor of congress. So alarmed became Dr. Zubly that he precipitately abandoned his seat and returned to Georgia where, taking sides against the liberty people, he became so obnoxious that in 1777 he was banished from Savannah with the loss of half his estate. Taking refuge in South Carolina he there remained until the royal government was reëstablished in Georgia in 1779, when he resumed his ministerial charge in Savannah and there abode until his death, which occurred on the 23d of July, 1781. Broken in heart and fortune, the latest years of his life involved a ceaseless struggle with misfortune. "His political defection," says Dr. Stevens,[1] "while it did no harm to Georgia or the Colonies, brought misery upon himself and family, and tarnished a name which shone among the earlier patriots of Georgia with peculiar brightness. Savannah still bears the record of this learned man in the names of two of its streets, 'Joachim' and 'Zubly,' and one of the hamlets of the city is called 'St. Gall' in honor of his birthplace in Switzerland." His declaration in his place in the Continental Congress that "a Republic was little better than a government of devils," and his subsequent desertion of his post to seek shelter under the authority of the Crown, were but the prelude to misery, disgrace, and an early grave. Georgia was now practically governed by the Council of Safety. Her people, earnest and united in the cause of freedom, were prepared to practice economy, endure privations, and subdue every murmur in the hope of winning their independence.

On the 2d of August Ebenezer McCarty, charged with enlisting in Georgia recruits for the South Carolina regiments, was, by Chief Justice Stokes, committed without bail to the common jail of Savannah. A writ of *habeas corpus* having been applied for and denied, the citizens assembled, forced the jail, and liberated the prisoner. Not content with this, they marched through the town with drums beating and passed by the residences of

[1] *History of Georgia*, vol. ii. p. 121. Philadelphia. 1859.

the governor and the chief justice. "Unparalleled insolence, my Lord,"[1] exclaimed his excellency when pouring his complaints into the ear of the Earl of Dartmouth, "and this is the situation his Majesty's Government is reduced to in the Province of Georgia."

After its seizure by the "Liberty Boys," a captain and twenty men were posted as a guard at the public magazine.

The article of association adopted by the Provincial Congress was industriously circulated throughout the province, and an opportunity afforded to all citizens to sign it. Few there were who declined to affix their signatures. Occasionally, as in the case of Dr. Traill, of the parish of St. Philip, one was found who railed at the liberty movement and expressed contempt for the paper. He was ordered to depart from the province within eight days. That some intimidation was used may not be doubted, but it is very true that what Governor Wright called "the contagion" spread with wonderful rapidity and unanimity throughout the length and breadth of Georgia. The Revolutionists were in earnest, and it required no little nerve to withstand their arguments and appeals.

It was deemed essential to the success of the liberty cause that no officers should be retained in commission who refused or neglected to sign the article of association. Still maintaining a show of respect for the royal governor, George Walton, William Le Conte, Francis Harris, William Young, George Houstoun, William Ewen, John Glen, Samuel Elbert, Basil Cowper, and Joseph Clay, on behalf of the Council of Safety, on the 8th of August, 1775, addressed a communication to his excellency Sir James Wright, asking permission that the several militia companies should be allowed to elect their own officers. It was suggested that some of them were distasteful to those whom they were appointed to command. Deeming it an extraordinary application, dangerous in its tendency and calculated to wrest the control of the military from the Crown officers, Sir James sought the advice of his council. An answer was returned "that for many very substantial reasons the Governor would not comply with the request."

Nothing daunted, the Council of Safety, who in reality cared but little for the mind of the governor on the subject, took the matter in their own hands, and proceeded to purge the militia of any loyal element which lurked in the ranks of its commissioned

[1] Letter dated Savannah, Georgia, 7th of August, 1775.

officers. Thus, in the first company of the first regiment, commanded by Captain Quintin Pooler, Charles Lucena and John B. Randall, refusing to sign the article of association, were rejected, and William Jones and Peter Lavein elected lieutenants in their stead. In the fourth company, Captain Stirk and Lieutenants William Stephens and William Johnson were dismissed for like cause, and the vacancies thus created were filled by friends to the liberty movement. In the eighth company, James Robertson and James Ross were supplanted by Dr. David Brydie and Seth John Cuthbert. This reformation proceeded until it was fully ascertained that the militia of the province was officered by those who were prepared to obey the orders of the Council of Safety and stand up for the liberties of their country.

Possession was taken of the custom house in Savannah, and an officer appointed to prevent vessels from landing cargoes from England. The port was practically closed. Governor Wright appealed in vain for a sloop of war to put an end to this "most disagreeable situation."

On the 17th of September a vessel arrived from London, having on board two hundred and fifty barrels of gunpowder, most of which had been sent out by his majesty, consigned to Mr. Stuart, the superintendent, and intended as a royal present to the Indians. This was too valuable an accession to their military stores to escape the notice of the liberty people. They accordingly boarded the ship at Tybee, removed the powder, and, transporting it to Savannah, diverted it from its destination and retained possession of it.

A ship coming from Senegal with a cargo of two hundred and four slaves was prevented from landing. Compelled to depart the port, the captain, in his distress, set out for St. Augustine as affording the only prospect of saving the Africans on board from death by famine.

The lamentations of Governor Wright, although frequently uttered, were as yet unheeded. "It is really a wretched State to be left in, and what it 's impossible to submit to much longer, Government totally annihilated and assumed by Congresses, councils, and committees, and the greatest acts of tyranny, oppression, gross insults, &c. &c., committed, and not the least means of protection, support, or even personal safety, and these almost daily occurrences are *too much*, my Lord."[1]

The plight of the governor was truly pitiable. In October

[1] Communication to the Earl of Dartmouth, dated Savannah, September 23, 1775.

the stockade fort on the ceded lands, garrisoned by a party of the king's rangers, was surrounded by the inhabitants dwelling in that vicinity and its commanding officer compelled to a surrender. Thus passed away the last shadow of military authority acknowledging allegiance to the Crown. The occupation of that post being regarded, however, as essential to the security of the region, orders were issued by the council of safety to restore its command to the rangers, who thenceforward were regarded as under the control of the Revolutionists. This occurrence upon the furthest confines of Georgia evoked from the governor the emphatic admission, "The poison has infected the whole Province, and neither Law, Government, nor Regular Authority has any weight or is at all attended to."

Upon the assembling of the general court on the 10th of October, ten of the jurors summoned refused to be sworn. Others "behaved very insolently," and the conduct of business was practically obstructed. Mr. Noble Jones, one of the associate justices, was then "lying extremely ill."

The only functions now exercised by the governor were those connected with proving wills and granting letters of administration. In view of what had occurred and of what was daily transpiring, he might truthfully say, "There is hardly a shadow of government remaining." The royal cause was additionally afflicted by the demises of Clement Martin, Noble Jones, associate justice and treasurer of the colony, and the Honorable James Habersham, who quickly followed each other to the tomb. These gentlemen were all members of the Common Council, were the trusted friends and advisers of the governor, and had always been loyal servants of his majesty. The vacancies created were filled by the appointment of John Hume as secretary of the province in the place of Mr. Habersham, and of Lewis Johnson as treasurer in the stead of Colonel Jones. For the vacant chairs in council, Josiah Tattnall, Sir P. Houstoun, Lachlan McGillivray, and Charles William MacKinen were recommended.[1]

Before an answer to the communication advising the home government of the death of these gentlemen was penned, Governor Wright was a prisoner, and even the semblance of the king's authority in the province had been abruptly terminated.

The last branch of the government over which the Provincial Congress assumed control was the judicial. On the 1st of Decem-

[1] See *Letter of Sir James Wright to Secretary Lord Dartmouth*, dated Savannah, November 16, 1775.

ber, 1775, all courts of law within the colony were taken under its supervision, and a committee of fifteen was appointed to hold quarterly sessions in Savannah as a Court of Appeals "to hear and determine between the parties and sanction or prohibit processes according to the circumstances of the case." The constitution of the courts of inferior jurisdiction remained unchanged. In the disturbed condition of affairs to prevent, as far as practicable, debtors from avoiding the payment of their liabilities, all persons intending to depart from their parishes or beyond the limits of Georgia were required to give such notice of their contemplated change of residence as would afford their creditors ample opportunity to secure their just demands.

Mr. Hume, the king's attorney-general, declining to obey the mandate of the congress in regard to the conduct of causes in the courts, and denying the authority of that body, was ordered to quit the province within a month. The chief justice also was cautioned to observe all congressional instructions which now practically constituted the supreme law of the land.

Before adjourning on the 11th of December, 1775, the Provincial Congress appointed the following persons members of the council of safety:[1] George Walton, William Ewen, Stephen Drayton, Noble W. Jones, Basil Cowper, Edward Telfair, John Bohun Girardeau, John Smith, Jonathan Bryan, William Gibbons, John Martin, Oliver Bowen, Ambrose Wright, Samuel Elbert, Joseph Habersham, and Francis Henry Harris. That body organized by electing George Walton president, and Edward Langworthy secretary. It was resolved to meet regularly at Tondee's Long Room in Savannah every Monday morning at ten o'clock, and as much oftener as the emergency demanded.

The Continental Congress having on the 4th of November ordered that a battalion should be raised at the common charge of the united provinces for the protection of Georgia, and made an appropriation of five thousand dollars toward the defrayal of the expenses of this organization the council of safety, at its first meeting, commissioned Andrew Maybank, Joseph Woodruffe, Hezekiah Wade, and John Dooly as captains; James Cochran, John Morrison, Jeremiah Beale, and Thomas Dooly as first lieutenants; James Galoche, Moses Way, Jacob Blunt, Zephaniah

[1] As constituted in June, 1775, the council of safety consisted of William Ewen, William LeConte, Basil Cowper, Samuel Elbert, William Young, Elisha Butler, Edward Telfair, John Glen, George Houstoun, George Walton, Joseph Habersham, Francis H. Harris, John Smith, and John Morel. William Ewen was chosen president, and Seth John Cuthbert appointed secretary.

Beale, and William Bugg, second lieutenants; and Thomas Dowly, George Philips, and Joshua Smith, third lieutenants. On the 7th of January, 1776, the battalion was further organized by the appointment of the following field officers: Lachlan McIntosh, colonel, Samuel Elbert, lieutenant-colonel, and Joseph Habersham, major.[1]

The following gentlemen were then elected and commissioned as company officers: —

Francis Henry Harris, captain, and John Habersham, first lieutenant, of the first company.

Oliver Bowen, captain, and George Handley, first lieutenant, of the second company.

John McIntosh, Jr., captain, and Lachlan McIntosh, Jr., first lieutenant, of the third company.

Arthur Carney, captain, and Benjamin Odingsell, first lieutenant, of the fourth company.

Thomas Chisolm, captain, and Caleb Howell, first lieutenant, of the fifth company.

John Green, captain, and Ignatius Few, first lieutenant, of the sixth company.

Chesley Bostick, captain, and John Martin, first lieutenant, of the seventh company.

Jacob Colson, captain, and Shadrach Wright, first lieutenant, of the eighth company.[2]

The erection of Georgia into a body politic, apart from and opposed to the government hitherto existing by authority of the Crown, was now accomplished. The president of the council of safety was virtually the governor of this quasi-commonwealth. Such laws as were requisite for the preservation of the public peace, the maintenance of order, and the defrayal of current expenses, were promulgated as resolutions by the Provincial Congress and by the Council of Safety. Courts competent for the assertion of rights and the redress of wrongs were in active operation. A military force had been organized for the common defense. A union with the other American colonies had been perfected. A royal governor, it is true, still resided in Savannah, but he was little else than a prisoner with a barren sceptre in his grasp. Members of the king's council there were, but their advice was neither asked nor allowed in the conduct of affairs.

[1] McIntosh and Elbert subsequently rose to the rank of brigadier-general in the army of the Revolution.

[2] See *Georgia Gazette* for February 7, 1776, No. 644.

Other officers, holding warrants from the Crown, were idle spectators of events. Within the entire circuit of the province there was none to enforce the will of his majesty. Well might Governor Wright exclaim in behalf of himself and the other servants of the king in Georgia, "We shall not remain much longer in this distressful condition."

From this period until the erection of Georgia into a State upon the conclusion of the Revolutionary War, there occurred but little legislation in the proper acceptation of that term. The general assemblies, which convened at various times during Governor Wright's administration, had given to the statute book no fewer than one hundred and forty-eight acts and resolutions, covering a wide range of subjects and providing for the growing wants of a province which had already assumed the proportions of an important, populous, and profitable dependency. These laws, where they did not militate against the newly erected government and the changed condition of affairs, were allowed to remain in active operation.

CHAPTER XI.

GOVERNOR WRIGHT ARRESTED BY MAJOR JOSEPH HABERSHAM IN OBEDIENCE TO THE ORDERS OF THE COUNCIL OF SAFETY. — HE SUBSEQUENTLY EFFECTS HIS ESCAPE. — HIS LETTER TO THE MEMBERS OF THE COUNCIL IN SAVANNAH. — THE PROVINCIAL CONGRESS REASSEMBLES. — COMMUNICATION ADDRESSED TO THE DELEGATES TO THE CONTINENTAL CONGRESS. — SIGNERS FROM GEORGIA OF THE DECLARATION OF INDEPENDENCE. — EFFORTS TO ARM THE MILITIA AND TO PROCURE MILITARY STORES. — BILLS OF CREDIT ISSUED. — QUESTION OF THE COMMAND OF THE CONTINENTAL BATTALION. — COLONEL LACHLAN MCINTOSH'S LETTER TO GENERAL WASHINGTON. — TEMPORARY CONSTITUTION OF 1776. — ARCHIBALD BULLOCH ELECTED FIRST REPUBLICAN PRESIDENT. — ADDRESS OF THE COUNCIL OF SAFETY. — PRESIDENT BULLOCH'S RESPONSE. — ANECDOTE OF PRESIDENT BULLOCH. — FIRST PASSAGE AT ARMS IN GEORGIA. — DESCENT UPON TYBEE ISLAND. — HEROIC CONDUCT AND RESOLUTION OF THE GEORGIANS. — ASSISTANCE RENDERED BY SOUTH CAROLINA. — THANKS RETURNED. — DISTRIBUTION OF GEORGIA TROOPS.

THE arrival at Tybee, on the 12th of January, 1776, of two men-of-war and a transport from Boston, with a detachment of royal troops under the command of Majors Maitland and Grant, cheered the loyal heart of Governor Wright and encouraged the hope that by force of arms the dominion of the king would soon be reëstablished in the province. Six days afterwards, in view of the impending danger, to strengthen the independent temper of the inhabitants, and to demonstrate most emphatically that kingly rule in Georgia was at an end, the Council of Safety resolved "that the persons of his excellency Sir James Wright, Bart, and of John Mullryne, Josiah Tattnall, and Anthony Stokes, Esqrs., be forthwith arrested and secured, and that all non-associates be forthwith disarmed except those who will give their parole assuring that they will not aid, assist, or comfort any of the persons on board his Majesty's ships of war, or take up arms against America in the present unhappy dispute."

With a party selected by himself, Major Joseph Habersham volunteered to secure the person of the governor. Proceeding to the residence of the chief magistrate, who was at the moment in conference with his council, Major Habersham, passing the sentinel at the door, entered the hall, and, advancing to the gov-

ernor and placing his hand upon his shoulder, said, "Sir James, you are my prisoner." Astonished at the bold and unexpected act, the members of council and friends to the Crown there assembled fled precipitately from the house. Having exacted a solemn promise from the governor neither to depart from Savannah nor to hold any correspondence with the officers and soldiers on the ships lying in Tybee Roads, Major Habersham suffered him to remain in his mansion. A guard was posted to keep watch upon his movements, and to prohibit all intercourse with members of council, Crown officers, or persons deemed inimical to the cause of America.[1] Of the bravery of this act too much cannot be said in commendation. The personal courage displayed in making the arrest, pronounced as it was, will be reckoned but as a trifle when contrasted with the moral heroism involved in openly defying the power of the realm and in humbling the duly appointed representative of the Crown in the face of the province he was commissioned to rule. The effect was dramatic, startling.

Wearied with his confinement, mortified at his situation, and harassed by dangers, some of them arising from shots wantonly fired into his dwelling, Governor Wright effected his escape on the night of the 11th of February. Slipping out of the back part of his house, he reached the river, and thence descended to Bonaventure where his friend Mullryne resided. There a boat and crew were in waiting, and he was conveyed through Tybee Creek to the armed ship Scarborough, Captain Barclay, lying in the mouth of the Savannah River. He was received on board at three o'clock on the morning of the 12th. The following day he penned this letter to James Mackay and other members of the king's council remaining in Savannah: —

"Honorable Gentlemen, — After using my best endeavours for upward of three weeks to prevail on those in whose hands the present ruling powers are, that the commanders of his Majesty's ships here might obtain assurances that they might come to town and have free intercourse with me without receiving any insults from the people assembled in and about town; also that the King's ships might be supplied with provisions on paying the full price or value of them: and finding that the last message relative to these matters which I desired the representatives of the town of Savannah to deliver to the persons exercising

[1] See McCall's *History of Georgia*, vol. ii. p. 61, Savannah, 1816; Stevens' *History of Georgia*, vol. ii. p. 128, Philadelphia, 1859.

those powers was so lightly treated and little regarded as that, although delivered on Tuesday morning the 6th instant, yet I received no kind of answer to it for five days, nor did I understand whether it was meant to give me any answer or not; and well knowing that it was essential to his Majesty's service and the welfare of this Province that I should have an interview with the King's officers here: for these reasons and many others which you were made acquainted with and approved of, I determined in all events to attempt coming down here, where I arrived at three o'clock yesterday morning. And after having examined and duly weighed and considered my several letters from England, and General Howe at Boston, and after having had a full conversation with his Majesty's Officers here, I have the great satisfaction to be able to affirm from the best authority that the forces now here will not commit any hostilities against this Province, though fully sufficient to reduce and overcome every opposition that could be attempted to be made: and that nothing is meant or wanted but a friendly intercourse and a supply of fresh provisions. This his Majesty's officers have an undoubted right to expect, and what they insist upon: and this I not only solemnly require in his Majesty's name but also, as (probably) *the best friend the people of Georgia have*, advise them without the least hesitation to comply with, or it may not be in my power to insure them the continuance of the peace and quietude they now have, if it may be called so.

"His Majesty has been graciously pleased to grant me leave to return to England, and (whatever may be thought) my regard for the Province and people is such that I cannot avoid (and possibly for the last time) exhorting the people to save themselves and their posterity from that total ruin and destruction which, although they may not, yet I most clearly see at the threshold of their doors: and I cannot leave them without again warning them in the most earnest and friendly manner, to desist from their present plans and resolutions. It is still in their power: and if they will enable me to do it, I will, (as far as I can) engage to give and endeavour to obtain for them full pardon and forgiveness for all past crimes and offences: and this I conjure you to consider well and most seriously of, before it 's too late. But let things happen as they may, be it remembered that I this day in the King's name offer the people of Georgia the Olive branch, that most desirable object and inestimable blessing, the return of peace to them and their posterity.

"Caplain Barclay has desired me to notify that he is willing and ready to give every assistance in his power to the captains of all such merchant ships as may be legally cleared out to enable them to proceed on their respective voyages. I am also to acquaint you that the detention of the schooner on Friday or Saturday last proceeded entirely from a mistake by the officer who commanded the armed sloop, and that if the owner will send down, the schooner will not only be delivered up, but any reasonable price will be paid for the damaged rice that was on board,—part of which has been used to feed hogs and poultry,—or they may take it away again. I am also to mention that the same armed sloop will be sent up tomorrow to Four Mile Point in order to get fresh water, and for no other purpose.

"This letter, which I consider as of the utmost consequence and importance to the whole people of Georgia, I must desire you will be pleased to communicate to the Assembly, if sitting, and if not, to those who are called the Council of Safety, and especially to the inhabitants of the town and Province in general, and acquaint them that I shall expect their full and clear answer to every part of it in a reasonable time.

"I am, with perfect esteem, Gentlemen,
Your most obedient and faithful servant,
JAMES WRIGHT."

The warnings of his excellency were disregarded. His persuasions from the cabin of the Scarborough brought a smile to the countenances of those who had feared not his menaces while still the king's governor resident in Savannah. The "Sons of Liberty" had proceeded too far to think of pause or to cry for pardon. The public voice was for liberty, and the general mind counseled resistance. The olive branch was extended in vain. As a matter of courtesy the Honorable Archibald Bulloch, president of the Provincial Congress, responded to the communication. His reply was satisfactory neither to the governor nor to Captain Barclay. The former said he could not consider it as an answer because no notice was taken of his advice and proffer of service to the colony. "However," he added, "if Georgians will not be their own friends, the Province will blame them and not me who through friendship put it in their power to be happy."

The Provincial Congress which assembled in Savannah on the 20th of January, 1776, was organized on the 22d by the election of the Honorable Archibald Bulloch as president. On the 2d

of February Archibald Bulloch, John Houstoun, Lyman Hall, Button Gwinnett, and George Walton were appointed delegates to the Continental Congress.[1] To them, three days afterwards, was addressed this communication: —

"GENTLEMEN, — Our remote situation from both the seat of power and arms keeps us so very ignorant of the counsels and ultimate designs of the Congress and of the transactions in the field, that we shall decline giving any particular instructions other than strongly to recommend it to you that you never lose sight of the peculiar situation of the Province you are appointed to represent: — the Indians, both south and northwestwardly upon our backs; the fortified town of St. Augustine made a continual rendezvous for soldiers in our very neighborhood; together with our blacks and tories with us; — let these weighty truths be the powerful arguments for support. At the same time we also recommend it to you always to keep in view the general utility, remembering that the great and righteous cause in which we are engaged is not provincial but continental. We therefore, Gentlemen, shall rely upon your patriotism, abilities, firmness, and integrity, to propose, join, and concur in all such measures as you shall think calculated for the common good and to oppose such as shall appear destructive.

"By order of Congress.

ARCHIBALD BULLOCH, *President.*

"SAVANNAH, *April* 5, 1776."

Of the five delegates thus appointed the signatures of three, Hall, Gwinnett, and Walton, were affixed to the Declaration of Independence promulgated on the 4th of July, 1776. Upon the organization, equipment, and discipline of the militia of the province both the congress and the council of safety labored most assiduously. Realizing that the shock of arms was near at hand, they strove by every means at command to perfect the military system and to accumulate munitions of war. Resolutions were passed exempting from the operations of the non-importation act all vessels bringing gunpowder, saltpetre, sulphur, cannon, small arms, and other warlike material. Samuel Elbert, Edward Telfair, and Joseph Habersham were constituted a committee to supply the province with arms and ammunition. They were authorized to contract for the purchase of four hundred muskets with bayonets, twenty thousand pounds of gunpowder, sixty thousand pounds of bullets, lead, grape, swan, and goose shot, and other

[1] *Georgia Gazette* of February 7, 1776, No. 644.

military stores. The armament at Frederica was secured. That the necessary funds might be raised, bills of credit in the form of certificates were issued. They were based upon the public faith of Georgia, and it was made a penal offense either to refuse to receive them in payment or to depreciate their value. The following is a copy of one of these bills: —

"Georgia —— 1776. —— N° 5991.

"This certificate entitles the bearer to Four Spanish Milled Dollars, or the Value thereof, according to Resolution of Congress.

Ja^{s} Habersham.
E. Telfair.
Geo. Houstoun.

Wm Ewen.
Wm OBryan.

[Seal.]"

The seal or stamp upon this bill bears the legend *Libertas carior auro*, and consists of a pole, surmounted with a liberty cap, in association with a winged caduceus and a cornucopia. These devices varied, and the issues were regulated by resolutions of congress.

A question having arisen touching a possible conflict of authority between the Continental Congress and the Provincial Congress or Council of Safety in regard to the command of the battalion, the enlistment of which, upon a continental establishment, had been sanctioned and aided by the General Congress, the matter was set at rest in the following manner: —

"In Provincial Congress, Savannah,
Feb. 16, 1776.

"Province of Georgia: —

"Whereas a battalion upon the Continental establishment is now raising in this Province; and whereas doubts may arise how far the same is subject to the control of the Provincial civil power: Now, therefore, be it known, and we, the several subscribers, officers bearing commissions in the same battalion, do hereby declare, that we hold ourselves and the non-commissioned officers and privates, also all others belonging to the said battalion, subject and subservient to such supreme and civil powers of this Province as are or shall be erected for the purpose of defending our rights and liberties.

"And further, we bind ourselves upon the words of soldiers and men of honour, at all times to obey and carry into effect, as far as in us lies, the orders and commands of the present or any

future Congress or Council of Safety of this Province as the same shall, from time to time, be issued to us.

"*Provided, nevertheless*, That the same do not contradict or interfere with the orders or directions of the General Congress, or a Committee thereof, or any General or other officer by them appointed over us.

"In witness whereof, we have hereunto set our names, together with the rank and date of our commissions opposite thereto.

"*A Return of the Officers chosen for the Battalion ordered to be raised for the protection and defence of the Colony of Georgia, Feb.* 16, 1776.

Colonel, Lachlan McIntosh.	Major, Joseph Habersham.
Lieut. Col., Samuel Elbert.	

First Company.

Captain, Francis Henry Harris.	Second Lieut., John Jenkins.
First Lieut., John Habersham.	Ensign, John Rae.

Second Company.

Captain, Oliver Bowen.	Second Lieut., John Berrien.
First Lieut., George Henley.	Ensign, —— ——.

Third Company.

Captain, John McIntosh.	Second Lieut., Francis Arthur.
First Lieut., Lachlan McIntosh.	Ensign, John Morrison.

Fourth Company.

Captain, Arthur Carney.	Ensign, Delaplaine.
First Lieut., Benjamin Odinsell.	John Milton.
Second Lieut., John Eman.	

Fifth Company.

Captain, Thomas Chisholm.	Second Lieut., Daniel Cuthbert.
First Lieut., Caleb Howell.	Ensign, William McIntosh.

Sixth Company.

Captain, John Green.	Second Lieut., —— ——.
First Lieut., Ignatius Few.	

Seventh Company.

Captain, Chesley Bostick.	Second Lieut., —— ——.
First Lieut., John Martin.	

Eighth or Rifle Company.

Captain, Colson.	Ensign, —— ——.
First Lieut., Shadrach Wright.	Chaplain, John Holmes."
Second Lieut., George Walton.	

In forwarding a copy of this document and return to General George Washington, commander-in-chief of the American forces, on the 16th of February, 1776, Colonel Lachlan McIntosh fur-

nishes an interesting account of the population, resources, and dangers of the province. He alludes to the presence, in Tybee inlet, of five ships of war, — the Syren, the Scarborough, the Raven, the Tamer, and the Cherokee, — of several tenders, and of two large transports having on board some three hundred men, "whether for this colony or Carolina, or both together, we are not yet informed. Our Province has declared itself in a state of alarm, and resolved not to supply the men of war with provisions, and ordered a draft of half the militia to the town of Savannah to oppose the landing of any troops." In conclusion, he adds: "I have received no kind of orders or instructions from the General Congress or your Excellency, nor have I yet been able to obtain even a copy of the American Articles of War, which makes me at a loss how to act in many cases; therefore I shall wish any orders or directions your Excellency will please to send me to be as full and frequent as possible; also to be informed how far we are under the control of the Provincial Congress, &c. of this or any other Province where we are upon duty, and what rank we hold when acting with militia or Provincial Troops."

The sudden flight of Governor Wright, the presence of an armed force in the mouth of the Savannah River, and the absence of any definite rules of government, rendered it obligatory for the orderly administration of public affairs that a constitution for Georgia should be at once framed and proclaimed by the Provincial Congress. Accordingly, the following preamble and regulations were adopted[1] as "the groundwork of a more stable and formal government" of the province. They formed a temporary constitution, and General Washington was, at an early moment, furnished by Colonel McIntosh with a copy.

"COLONY OF GEORGIA: —

"Whereas, the unwise and iniquitous system of administration obstinately persisted in by the British Parliament and Ministry against the good people of America hath at length driven the latter to take up arms as their last resource for the preservation of their rights and liberties which God and the Constitution gave them;

"And whereas an armed force, with hostile intentions against the people of this Province, having lately arrived at Cockspur, his Excellency Sir James Wright, Baronet, and King's Governor of Georgia, in aid of the views of the administration, and with a

[1] April 15, 1776.

design to add to those inconveniences which necessarily result from a state of confusion, suddenly and unexpectedly carried off the great seal of the Province with him;

"And whereas, in consequence of this and other events, doubts have arisen with the several magistrates how far they are authorized to act under the former appointments, and the greatest part of them have absolutely refused to do so, whereby all judicial powers are become totally suspended to the great danger of persons and property;

"And whereas, before any general system of government can be concluded upon, it is necessary that application be made to the Continental Congress for their advice and directions upon the same; but, nevertheless, in the present state of things, it is indispensably requisite that some temporary expedient be fallen upon to curb the lawless and protect the peaceable;

"This Congress, therefore, as the representatives of the people, with whom all power originates, and for whose benefit all government is intended, deeply impressed with a sense of duty to their constituents, of love to their country, and inviolable attachment to the liberties of America, and seeing how much it will tend to the advantage of each to preserve rules, justice, and order, do take upon them for the present, and until the further order of the Continental Congress, or of this, or any future Provisional Congress, to declare, and they accordingly do declare, order, and direct that the following rules and regulations be adopted in this Province — that is to say —

"1st. There shall be a President and Commander-in-Chief appointed by ballot in this Congress, for six months, or during the time specified above.

"2d. There shall be, in like manner, and for the like time, also a Council of Safety, consisting of 13 persons, besides the five delegates to the General Congress, appointed to act in the nature of a Privy Council to the said President or Commander-in-Chief.

"3d. That the President shall be invested with all the executive powers of government not inconsistent with what is hereafter mentioned, but shall be bound to consult and follow the advice of the said Council in all cases whatsoever, and any seven of said Committee shall be a quorum for the purpose of advising.

"4th. That all the laws, whether common or statute, and the acts of Assembly which have formerly been acknowledged to be of force in this Province, and which do not interfere with the

proceedings of the Continental or our Provincial Congresses, and also all and singular the resolves and recommendations of the said Continental and Provincial Congress, shall be of full force, validity, and effect until otherwise ordered.

"5th. That there shall be a Chief-Justice, and two assistant judges, an Attorney-General, a Provost-Marshal, and Clerk of the Court of Sessions, appointed by ballot, to serve during the pleasure of the Congress. The Court of Sessions, or Oyer and Terminer, shall be opened and held on the second Tuesday in June and December, and the former rules and methods of proceeding, as nearly as may be, shall be observed in regard to summoning of Juries and all other cases whatsoever.

"6th. That the President or Commander-in-Chief, with the advice of the Council as before mentioned, shall appoint magistrates to act during pleasure in the several Parishes throughout this Province, and such magistrates shall conform themselves, as nearly as may be, to the old established forms and methods of proceedings.

"7th. That all legislative powers shall be reserved to the Congress, and no person who holds any place of profit, civil or military, shall be eligible as a member either of the Congress or of the Council of Safety.

"8th. That the following sums shall be allowed as salaries to the respective officers for and during the time they shall serve, over and besides all such perquisites and fees as have been formerly annexed to the said offices respectively: —

"To the President and Commander-in-Chief after the rate, per annum, of	sterling £300
To the Chief Justice	100
To the Attorney-General	25
To the Provost Marshal	60
To the Clerk of Court	50"

Archibald Bulloch was elected President and Commander-in-Chief of Georgia; John Glen, Chief Justice; William Stephens, Attorney-General, and James Jackson, Clerk of Court.

On the 1st of May, 1776, the Council of Safety thus saluted the first Republican President of Georgia: —

"*May it please your Excellency.*

"The long session of the late Congress, together with the season of the year, called particularly for a speedy recess: and the House having adjourned while you were out of town it becomes more particularly necessary for us to address your Excellency. All,



Arch.d Bulloch



therefore, with unfeigned confidence and regard, beg leave to congratulate not only your Excellency on your appointment to, but your country on your acceptance of, the supreme command in this Province.

"It would be needless and tedious to recount the various and yet multiplying oppressions which have driven the people of this Province to erect that government which they have called upon you to see executed. Suffice it then to declare that it was only an alternative of anarchy and misery, and, by consequence, the effect of dire necessity. Your Excellency will know that it was the endeavor of the Congress to stop every avenue of vice and oppression, lest the infant virtue of a still more infant Province might in time rankle into corruption: and we doubt not that by your Excellency's exertions all the resolutions made or adopted by Congress will be enforced with firmness without any regard to any individual or any set of men: for no government can be said to be established while any part of the community refuses submission to its authority. In the discharge of this arduous and important task your Excellency may rely on our constant and best endeavors to assist and support you."

To this address President Bulloch returned the following response: —

"Honorable Gentlemen, — I am much obliged to you for your kind expressions of congratulation on my appointment to the supreme command of this Colony. When I reflect from whence the appointment is derived, that of the free and uncorrupt suffrages of my fellow citizens, it cannot fail to stimulate me to the most vigorous exertions in the discharge of the important duties to which I am called by our Provincial Congress. While I have the advice and assistance of gentlemen of known integrity and abilities, I doubt not but I shall be enabled to enforce and carry into execution every resolve and law of Congress. And, as far as lies with me, my country may depend I will, with a becoming firmness, and the greatest impartiality, always endeavor to cause Justice in mercy to be executed."

President Bulloch was a tower of strength. His personal integrity, his high sense of honor, his patriotism, his admirable executive abilities, his honesty of thought and purpose, his sturdy manhood, his unquestioned courage, and his enlarged views of the public good were invaluable in shaping the conduct and maintaining the dignity of the infant commonwealth.

In compliance with a custom which had obtained during the

terms of service of the royal governors, Colonel McIntosh, commanding the provincial troops in Savannah, upon the election of President Bulloch caused a sentinel to be posted at the door of his residence. To this his excellency objected, with the remark: "I act for a free people in whom I have the most entire confidence, and I wish to avoid on all occasions the appearance of ostentation."

Although the first man in Georgia to read and promulgate the Declaration of Independence, he did not live to behold the fortunate issue of his people's struggle for liberty. He died in 1777, and the entire commonwealth bewailed his loss.

Under the provisions of this temporary constitution was the province of Georgia guided until the adoption of the first regular constitution, on the 5th of February, 1777, by the convention then assembled in Savannah.

Pausing in this sketch of the earliest political development of the province under the leadership of the republican party, we turn to an event of bold significance in the history of the period, and chronicle the primal passage at arms in Georgia between the "Sons of Liberty" and the king's troops.

On the first of March, 1776, eleven merchant vessels, laden with rice and ready for sea, were lying at the Savannah wharves. Some of them were owned by parties entertaining little sympathy with the American cause, and prepared, at the first opportunity, to disregard the resolutions of Congress and seek the most advantageous market. Aware of this fact, remembering that the order promulgated by the Continental Congress prohibiting the exportation of rice from the united colonies expired that day by its own limitations, and apprehending from the presence of the British vessels of war in Tybee Roads that the cause for such continental restriction had not been removed, the council of safety assumed the responsibility of passing and publishing the following resolutions: —

"Resolved that no ships loaded with rice, or any other article of produce, in this Province, shall be permitted to sail without leave of the Council of Safety or next Congress, except such vessels as are or shall be permitted to sail for the purpose of procuring the necessary means of defence.

"Resolved that in case any loss shall be sustained by such detention, the Delegates from this Province shall be instructed to apply to the Continental Congress to make the reimbursement for such loss a general charge.

"Ordered that the rudders be unshipped, and that the rigging and sails be taken away and secured from the several vessels now riding in the port of Savannah."

With the enforcement of these resolutions and of this order Colonel Lachlan McIntosh was charged.

"For the safety of the Province and the good of the United Colonies" it was, on the 2d of March, unanimously resolved by the council of safety: —

"That the houses in the town of Savannah and the hamlets thereunto belonging, together with the shipping now in the port of Savannah the property of or appertaining to the friends of America who have associated and appeared or who shall appear in the present alarm to defend the same, and also the houses of widows and orphans, and none others, be forthwith valued and appraised.

"Ordered That Messrs. Joseph Clay, Joseph Reynolds, John McLuer, Joseph Dunlap, and John Glen, or any three of them, be a committee for that purpose, and that they make a return of such value and appraisement to the Council of Safety tomorrow morning at 9 o'clock, or as soon after as possible.

"Resolved That the Delegates for this Province shall be instructed to apply to the Continental Congress for an indemnification to such persons as shall suffer in the defence of this town or shipping.

"Resolved That it shall be considered as a defection from the cause of America, and a desertion of property in such persons as have left or who shall leave the town of Savannah or the hamlets thereunto belonging during the present alarm, and such persons shall be precluded from any support or countenance towards obtaining an indemnification.

"Resolved That it be incumbent upon the friends of America in this Province to defend the Metropolis as long as the same shall be tenable.

"Resolved That rather than the same shall be held and occupied by our enemies, or that the shipping now in the port of Savannah should be taken and employed by them, the same shall be burnt and destroyed.

"Resolved That orders shall be issued to the commanding officer directing him to have the foregoing resolutions put into execution."

These brave resolves were supplemented by this proclamation: —

"In the Council of Safety,
Savannah, *March 2nd*, 1776.

"Whereas many householders in the town of Savannah, and the hamlets thereunto belonging, have basely deserted their habitations since the commencement of the present alarms:

"And whereas some of them are associates in the great American Union, and, by consequence, their lives and fortunes bound to support it:

"And whereas there is a number of shipping in the port of Savannah belonging and appertaining to persons resident in this Province:

"And whereas we deem it incumbent upon every person, more especially those who have associated, to defend their property with their lives:

"These are therefore to cite and admonish all persons holding any property in the town or hamlets, or shipping aforesaid, forthwith to repair to head quarters in Savannah to defend the same, on pain of suffering all the consequences contained in the foregoing resolutions.

"By order of the Council of Safety.

Wm. Ewen, *President.*"

Thus courageously and thoroughly did the authorities prepare to offer the stoutest and most patriotic resistance to the anticipated demonstration from the king's forces at the mouth of the Savannah River. So soon as Georgia united her fortunes with those of her sister colonies, all animosity ceased on the part of South Carolina. Between these adjacent provinces now existed the warmest friendship, and each pledged to the other a support most cordial, in seasons of doubt and peril. Of the situation of affairs the council of safety in Savannah promptly advised the council of safety in Charlestown, and furnished that body with copies of the resolutions, orders, and proclamation of the 2d of March. To such communications a tender of substantial succor and this reply were speedily returned: —

"Gentlemen, — Your letters of the 1st and 2d inst., and your resolutions, order, and proclamation of these dates, were laid before the Congress, transfusing a general and perfect joy.

"And the Congress, sensible of the vast importance which your exemplary conduct must be to the American cause, unanimously voted their thanks; and I have the honour thus to transmit them to you for your having decisively taken the noble, politic, and vigorous resolution: That the vessels in the port of Savannah,

ready to sail, contrary to the interest of America, shall be forthwith unrigged and unruddered, and that rather than the enemy shall possess those vessels and your capital, all shall perish in a noble conflagration lighted by yourselves: an instance of heroic principle not exceeded by any, and equalled but by few, in history.

"Your conduct in citing such of the inhabitants of Savannah as had abandoned their possessions in that town to return to its defence, under penalty of being deemed to have deserted such property and of being excluded from any support towards obtaining an indemnification for any loss they may sustain by a general conflagration, received the highest applause as being worthy of imitation. The policy and justice of the measure are equally conspicuous.

"In short, the Congress feel the greatest satisfaction from their having anticipated your called-for assistance. It is sufficient that we know our friends stand in need of our aid. We hope that our forces under Colonel Bull will fully accommodate your necessity; and you may rest assured that we shall continue to afford the friends of America in Georgia every support in our power.

"I have the honour, &c.

WM. HENRY DRAYTON, *President.*"

Congress having refused Captain Barclay's request, and the vigilance of the council of safety preventing him from obtaining the supplies desired for the forces, both land and naval, concentrated below Cockspur Island, the British commander resolved to capture the rice-laden vessels lying at the wharves in Savannah, and thus secure by force of arms what his negotiations had failed to obtain. With this object in view, on the last of February, with the Scarborough of 20 guns, the Tamer of 16 guns, the Cherokee of 10 guns, and the Hinchinbrook schooner of 8 guns, he ascended the Savannah River as far as Five-Fathom Hole. He was accompanied by Major Grant who, with his command, consisting of between two and three hundred light infantry and marines, was conveyed in two transport ships, one of which mounted sixteen guns.[1]

The soundings of Back River opposite Hutchinson's Island having been taken, two of the vessels passed up. One of them came into position just in front of Savannah, and the other, in

[1] See *Letter of Governor Wright to the Earl of Dartmouth*, dated "on board his Majesty's Ship Scarborough at Cockspur, in the river Savannah, in the Province of Georgia, the 10th of March, 1776."

attempting to round the upper end of the island so as to attack the town from above, grounded on a bank opposite Rae's Hall. In this disabled situation this armed vessel, which proved to be the Hinchinbrook, was fired upon by riflemen under the command of Major Joseph Habersham, who quickly drove her crew from the deck. Had boats been procurable he would, with his detachment, have boarded and captured this vessel. At high water she liberated herself from the bank, and moved off. During the night of the 2d of March between two and three hundred troops, under the command of Majors Maitland and Grant, landed from the vessel in Back River and silently marched across Hutchinson's Island. At four o'clock on the morning of the 3d they took possession of the rice-laden vessels lying in Savannah River near the store on that island opposite the town of Savannah. So quietly had this movement been conducted that it was nine o'clock in the forenoon before the authorities in Savannah became aware of the fact that British troops were on board of those merchantmen. It was suspected that they had been noiselessly and collusively surrendered by their captains. The intelligence was first communicated by two sailors from one of these vessels who, coming ashore under the pretence of procuring some clothes, gave information that Captain Rice, who had been detailed to execute the order issued by the council of safety directing that all ships in port should be dismantled, having boarded one of these vessels in performance of his duty was, with his boat's crew, forcibly detained. Great excitement prevailed in Savannah.

Colonel McIntosh, with three hundred men, at once proceeded to Yamacraw Bluff where he hastily threw up a breastwork and posted three four-pounder guns bearing upon the shipping. Before opening fire, Lieutenant Daniel Roberts, of the St. John's Rangers, and Captain Raymond Demeré, of St. Andrew's Parish, were dispatched under a flag of truce to demand the release of Rice and his boat's crew. Rowing across the river they boarded the vessel in which Captain Barclay and Major Grant then were. In utter disregard of the flag, Roberts and Demeré, although unarmed and on a peaceful mission, were, by command of the British officers, arrested and detained as prisoners.

A half hour having elapsed and the commissioners not returning, the vessel was hailed through a speaking-trumpet, and the release of Rice, Roberts, and Demeré peremptorily demanded. Insulting replies being received, two four-pounder shots were

fired at the vessel, when it was answered that if the Americans would send on board two men in whom they most confided the British commander would treat with them. For this purpose Captain Screven, of the St. John's Rangers, and Captain Baker, of the St. John's Riflemen, were detailed. Taking with them twelve men of the St. John's Rangers, they were rowed immediately under the stern of the vessel, where they demanded the return of the officers and of Rice. Incensed at an insulting remark, Captain Baker fired a shot at some one on board. This was answered by a discharge of swivels and small arms from the vessel which almost sank the boat and wounded one man in it. Screven and Baker retired, the fire upon them being kept up as long as their boat was within range. The battery at Yamacraw Bluff now opened. For the space of about four hours firing was maintained between it and the British troops on the merchant vessels.

The council of safety having convened, it was resolved to set fire to the shipping. Among the volunteers for this service were Captain Bowen, John Morel, Lieutenant James Jackson, Thomas Hamilton, and James Bryan.[1] The Inverness, late Captain McGillivray, loaded with rice and deer-skins, was ignited and turned adrift in the river. "Upon this," writes President Ewen to the council of safety in South Carolina, "the soldiers in the most laughable confusion got ashore in the marsh, while our riflemen, and field-pieces with grape-shot, were incessantly galling them. The shipping was now also in confusion. Some got up the river under cover of the armed schooner, while others caught the flame and, as night approached, exhibited a scene as they passed and repassed with the tide, which at any but the present time would be truly horrible, but now a subject only of gratitude and applause. The Ships of Captains Inglis[2] and Wardell neither got up the river nor on fire. They were ordered on shore and now are prisoners of Capt[n] Screven in the country, and their vessels brought down close into a wharf. They were permitted to write to Captain Barclay in the evening to inform him of their situation and to request an exchange of prisoners, which the latter peremptorily refused."

Responding to their promise to furnish aid, the South Carolina Council of Safety sent over one hundred and fifty volunteers from Charlestown, and three hundred and fifty of the country

[1] See Charlton's *Life of Jackson*, Part I. p. 8. Augusta, Georgia. 1809.

[2] It was in his vessel that many of the British soldiers had been received.

militia, under the command of Colonel Bull, who, arriving at the critical moment, assisted the Georgians in dislodging the enemy. Three of the merchant vessels were burnt, six were dismantled, and two escaped to sea.

Before the British resumed their station at Tybee Roads a detachment of marines went ashore on Skidoway Island to collect stores. It was driven off by a company of militia under the command of Lieutenant Hext. In a skirmish which occurred the same day at Cockspur, Lieutenants Oates and Laroach were killed.[1]

That the British forces were utterly foiled in their purpose may not be denied, although Governor Wright sought to convey a different impression of the affair. In his letter[2] of the 10th of March, addressed to Lord Dartmouth, he claims that the expedition returned to Tybee Roads "with 14 or 15 merchant ships and vessels of one sort and another, having on board about 1600 barrels of rice." This is unquestionably an exaggeration. He further states that the troops sustained no loss, and that only four sailors were wounded.

Lieutenant Roberts and Messrs. Demeré and Rice being still detained as prisoners by the enemy, the Georgia authorities, as a retaliatory measure, arrested James Edward Powell, Anthony Stokes, Josiah Tattnall, John Mullryne, and such other members of the king's council as remained in Savannah. Several merchants, and parties peculiarly obnoxious to the "Liberty Boys," were compelled to leave the town. They sought refuge in the fleet. After various negotiations, about the 20th of March Messrs. Roberts, Demeré, and Rice were released upon condition that the members of council under arrest should be set at liberty, with permission either to remain in Savannah upon parole that they should have "no connection with the King's ships or troops in this Province, and with the understanding that the safety of their persons and property should be secured so far as the same could be protected by the Council of Safety," or with liberty "to go on board the ships at Cockspur and take their apparel, provisions, and anything else they might think necessary for their voyage, if they were disposed to leave the Province."

Governor Wright, the officers of the fleet, and the soldiers were in the habit of going ashore on Tybee Island and utilizing,

[1] McCall's *History of Georgia*, vol. ii. p. 68. Savannah. 1816.

[2] Written on board his majesty's ship Scarborough, at Cockspur, in the river Savannah. P. R. O., Am. & W. Ind., vol. ccxxxvii.

for their comfort and enjoyment, the houses there situated. This the council of safety determined to prevent in future by the destruction of those edifices. Accordingly, an expedition, — consisting of riflemen, light infantry, volunteers, and a few Creek Indians, — led by Archibald Bulloch, on the 25th of March made a descent upon that island and burned every house except one, in which a sick woman and several children were lying. Two marines from the fleet and a Tory were killed, and one marine and several Tories were captured. Although the Cherokee, man-of-war, and an armed sloop kept up an incessant fire, the party, consisting of about one hundred men, sustained no loss and returned safely, having fully executed the prescribed mission.

Apprehending that the British forces would, at an early day, renew the demonstration against Savannah, every effort was expended by the council of safety in fortifying the town and in concentrating troops for its protection. The Rubicon had been passed. Blood had been shed, and resistance to the death offered on the part of Georgians to English dominion. The patriotism displayed by the citizens of Savannah and the manhood exhibited in the defense of their homes cannot be too highly commended. In commenting upon the resolutions of the council of safety, unanimously adopted, which provided that the torch should be applied to Savannah in every direction to prevent its falling into the hands of the enemy, so that if its defenders were compelled to abandon the town the victors would become possessed of only a mass of smoking ruins, Captain McCall[1] justly observes: "There are many instances of conflagration by order of a monarch 'who can do no wrong,' but there are few instances upon record where the patriotism of the citizen has urged him on to the destruction of his own property to prevent its becoming an asylum to the enemies of his country."

The same author intimates, in explanation of the remarkably few casualties sustained during this demonstration against Savannah, that the hostile disposition of the opposing parties had not then been fully roused; that some hope was still entertained of an amicable adjustment of the differences existing between England and America; and that the inclination was rather to excite alarm by menace than to irritate by the shedding of blood. The suggestion is not without force, and is specially applicable to the conduct of the English troops.[2]

[1] *History of Georgia*, vol. ii. p. 60. Savannah. 1816.

[2] For a further account of the incidents connected with this demonstration against

The forces furnished by South Carolina and present in Savannah during this period of alarm numbered about four hundred and fifty men, officers and privates. They were commanded by Colonel Stephen Bull, assisted by Major Bourquin. Some forty of them were posted at Ebenezer as a guard to the public records and surplus powder which had been removed from Savannah to that point as a place of greater security. Various were the detachments which composed this little army under Colonel Bull. In his general return, prepared at Savannah on the 15th of March, certified by Thomas Rutledge, adjutant, and forwarded to Colonel Henry Laurens, then president of the council of safety in Charlestown, the following organizations are enumerated: the Charlestown Volunteers, the Charlestown Rangers, the Charlestown Light Infantry, the Charlestown Fuzileers, the Beaufort Light Infantry, the St. Helena Volunteers, the Euhaw Volunteers, the Huspa Volunteers, the Light Horse or Pocotaligo Hunters, detachments from Oakety Creek, St. Peter's, Black Swamp, Pipe Creek, Boggy-Gut, New Windsor, and Upper Three Runs, and the Beaufort Artillery.[1]

After the affair of the 2d of March there still remained near the wharves the following vessels which had escaped destruction by fire and capture by the enemy: the ship Unity, Captain Wardell, with 700 barrels of rice on board; the ship Georgia Packet, Captain Inglis, with 500 barrels of rice; the brigs Amity, freighted with ash and live-oak; the Rebecca, Captain Rutherford, with a cargo of lumber; the Sorick, Captain Steel, in ballast; the Beaufort, Captain Wood, also in ballast; the Fair Lady, Captain Robertson, with 30 hogsheads of tobacco; and the schooner Race Horse, Captain Burch, in ballast. To prevent all possibility of their departure to sea the council of safety ordered their rigging to be brought ashore, and that their rudders should be "unhung." Colonel Bull was requested to superintend the execution of this order. As it was noised abroad by evil-disposed persons that the Carolinians had taken possession of Savannah, Colonel Bull suggested that the matter had better be attended to by Georgia troops, and that he would be near with his command to render assistance in case resistance was offered by the captains and crews of the vessels. Lieutenant-Colonel Stirk, with forty of the Georgia militia, was therefore detailed to

Savannah, see Drayton's *Memoirs of the American Revolution*, vol. ii. chap. xiv. Charleston. 1821.

[1] Drayton's *Memoirs of the American Revolution*, etc., vol. ii. p. 238. Charleston. 1821.

dismantle these vessels. This service he performed in a satisfactory manner.

All danger of an immediate renewal of the attack by the enemy being now regarded as overpast, and there being no longer any necessity for the retention, on Georgia soil, of the Carolina troops, Colonel Bull departed with his command. Having disbanded it in the lower part of South Carolina, he repaired to Charlestown where he rendered an account to the council of safety of all affairs which had been entrusted to him. Sensible of the valuable aid rendered by this officer and his companions to the colony in a trying hour, the Provincial Congress of Georgia on the 24th of March passed the following resolution: "That the thanks of the Congress be returned to Stephen Bull Esqr. of Sheldon, Colonel of the Granville County regiment of militia, for his important services in command of the Colony forces in Savannah; and that he be desired to signify their thanks to the officers and men then under his command." [1]

Upon the departure of the Carolina troops there remained for the protection of Savannah the Georgia battalion, under the command of Colonel McIntosh, numbering only two hundred and thirty-six men. Of these not more than one hundred were present for duty. Along the Florida line was distributed a troop of sixty mounted men to prevent cattle stealing. A body of cavalry of like strength guarded the western frontier against the threatened invasion of the Indians. For the protection of the seacoast, permeated with bays and inlets and infested by armed vessels of light draft, there was not a single ship. Such was the defenseless condition of the province. Evincing no alarm, however, the patriots calmly and energetically organized their government, accumulated warlike stores, and placed the militia upon the best possible footing. His excellency Archibald Bulloch, president and commander-in-chief, true to the high trusts confided to him, manifested "an ability suited to the occasion," and an "energy adequate to the crisis."

[1] This expedition for the relief of Georgia cost the province of South Carolina £6,213 7*s*. 6*d*.

CHAPTER XII.

EFFECT OF THE PROHIBITORY BILL. — EXPEDITION OF CAPTAIN JOHN BAKER AGAINST WRIGHT'S FORT ON THE ST. MARY'S RIVER. — GOVERNOR WRIGHT SAILS FOR ENGLAND. — SIR PETER PARKER'S DEMONSTRATION AGAINST FORT MOULTRIE. — CEREMONIES OBSERVED UPON THE PROMULGATION OF THE DECLARATION OF INDEPENDENCE IN SAVANNAH. — PRESIDENT BULLOCH CALLS A CONVENTION OF THE PEOPLE. — DEPREDATIONS OF THE CHEROKEE INDIANS. — THEIR TERRITORY INVADED. — THE SAVAGES ARE COMPELLED TO SUE FOR PEACE. — TREATY CONCLUDED AT DEWIT'S CORNER. — CONFERENCE BETWEEN THE GEORGIA COMMISSIONERS AND GENERAL CHARLES LEE. — THE REDUCTION OF ST. AUGUSTINE RESOLVED UPON. — THE EAST FLORIDA EXPEDITION A FAILURE. — THE CONTINENTAL CONGRESS ASSISTS IN THE DEFENSE OF GEORGIA.

IF anything was needed to unify the inhabitants of Georgia in favor of independence, to consolidate the association of the colonies, to silence the voices of the disaffected, to stimulate the purposes of the patriotic, and to dissipate all hope of clemency at the hands of the British Parliament, it was found in the passage of the Prohibitory Bill[1] which, among other severe provisions, cut off all trade with the American provinces, forfeited their ships, apparel, and cargoes, and rendered them liable to seizure and condemnation at the pleasure and for the profit of their captors.

In utter disregard of the earnest protests of Edmund Burke and of Governor Johnstone, Georgia was entered in the "black catalogue" and marked for destruction with her sister colonies. A copy of this bill reached Savannah early in March while the public mind was still intensely excited over the hostile demonstration made by Barclay and Grant. It was accompanied by a letter to Governor Wright (whose flight from Savannah to the king's vessels in Tybee Roads was then unknown in England), instructing him to confiscate the property of all Georgians who refused immediate and implicit obedience to the laws of the

[1] Passed in December, 1775, entitled "An act to prohibit all trade and intercourse with the Colonies of New Hampshire, Massachusetts-Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the Three Lower Counties on Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, during the continuance of the present rebellion within the said Colonies respectively," etc.

Crown, and who professed sympathy with the resolutions of the Continental Congress. While entirely inoperative, this official communication revealed the intentions of the ministry. No longer did advocates for reconciliation lift their voices. Remonstrances and petitions were things of the past. The present emergency called for resistance, and the people were for independence. Georgia had already framed her temporary constitution and acted in anticipation of the event.

An express was immediately dispatched to Charlestown with copies of the Prohibitory Bill, and of the letter of instructions to Governor Wright. Within an hour after they had been read in the Provincial Congress of South Carolina an order was issued to seize, in the name and for account of the province, the Port Henderson, a Jamaica vessel loaded with sugar, which had put into Charlestown on her way to London. Only the day before she had obtained permission to pass the forts, and would have sailed the same afternoon on her intended voyage.[1] The scale was turned. Moderate men who advocated delay and reconciliation were silenced. Carolina proceeded at once to frame and to adopt an independent constitution.

Commissioned by Governor Tonyn, of East Florida, privateers were cruising along the coast of the southern provinces, plundering the inhabitants and robbing merchants of their ventures. In that province did the loyalists from Georgia and the Carolinas find a secure retreat. Organizing themselves into bands, known as Florida Rangers, and summoning to their aid parties of Indians, they made predatory incursions into Southern Georgia, to the constant alarm and detriment of the inhabitants. Pillage, conflagration, and murder marked their footsteps. Restrained by no law, these freebooters feared neither king nor congress, and were wholly addicted to the occupations of plunderers and outlaws. Germyn Wright, a brother of the governor, had constructed a fort on the St. Mary's River, which served as a point of rendezvous for these banditti and a place of deposit for their spoils. Its destruction was greatly desired by the Georgians residing in that region.

With the hope of surprising and demolishing this fort, Captain John Baker, of St. John's Parish, collected seventy mounted volunteers and marched rapidly upon it. Observing the greatest secrecy, the party arrived within a short distance of the work

[1] Ramsay's *History of the Revolution of South Carolina*, vol. i. p. 82. Trenton. MDCCLXXXV.

without having been discovered. Believing that the capture could best be effected under cover of the night, Captain Baker halted his command in a dense wood and there awaited the approach of darkness. He had been informed that a considerable body of Indians was encamped in the neighborhood, and that these savages, in association with the garrison of the fort, quite outnumbered his force. His only prospect of success, therefore, lay in surprising the fortification, his only safety in a rapid retreat after its destruction. Unfortunately he was discovered by a negro, who at once gave the alarm. Three cannon were fired from the fort, and these were answered by the schooner St. John, of eight guns, which was lying in the St. Mary's River about two miles below. Advancing to the attack, Captain Baker assailed the fort with musketry. No impression was produced. Anticipating that reinforcements would be sent from the schooner, he detached a portion of his command to occupy a landing below the fort. Three armed boats were soon descried ascending the river. Concealing themselves until they neared the shore, the men of the detachment then opened fire, by which several of the crew in the leading boat were killed and wounded. Calling for quarter, which was granted, that boat came ashore and its crew surrendered. Among the prisoners were Captain Barkup of the Navy and Lieutenant Bucher of the Army. The other boats made their escape under cover of the night. Information was received from one of the captives that a large body of Indians was encamped on the opposite side of the river, not far distant. Finding that all hope of capturing the fort was at an end, and apprehending an attack from the Indians, Captain Baker rapidly retreated for some eight or nine miles and then encamped.

During the night Daniel and James McGirth, who were on guard, stole most of the horses belonging to the command and deserted with them to the enemy. For this act of treachery the former was appointed lieutenant-colonel of the Florida Rangers, commanded by Colonel Thomas Brown, and entered upon a career of rapine and murder in which he became quite notorious. James McGirth was rewarded with a captain's commission in the same corps. Baker returned to Georgia, mortified at the failure of his expedition and chagrined at the loss entailed by the treachery of his own men.[1]

[1] See McCall's *History of Georgia*, vol. ii. p. 79. Savannah. 1816. See also *Johnson's Traditions of the American Revolution*, p. 172. Charleston. 1851.

Having remained on board his majesty's ship Scarborough until the latter part of March, persuaded that the province of Georgia was irretrievably committed to the cause of the Revolutionists, and informed both by General Howe and Sir Henry Clinton that no military operations were at present contemplated against Savannah, Sir James Wright sailed for Halifax where he arrived on the 21st of April, 1776. He was availing himself of the leave of absence granted by the king, and was on his way to London.

On the first of June, 1776, Sir Peter Parker, with a fleet of more than fifty sail anchored a few miles to the northward of Charleston bar. The king was resolved to repossess himself of the colony of South Carolina which had always been reckoned among his most pleasant plantations. Hence this formidable demonstration. President Rutledge and General Armstrong repaired in person to the harbor fortifications, calling everything into requisition, judiciously disposing men and materials of war for the protection of the city and its approaches, and urging every possible preparation to resist the threatened invasion. A general alarm was sounded. The militia from the interior was ordered to the coast, and aid invoked from sister colonies. So prompt and generous was the response that by the 11th of June forces aggregating six thousand five hundred and twenty-two men of all arms had been concentrated for the defense of Charlestown. On the caps of the officers and privates of the first South Carolina regiment appeared crescents with the words *ultima ratio* engraven thereon, while the word *Liberty* shone resplendent on the helmets of the men of the second.

The stores and warehouses on the wharves were leveled so as to uncover a defensive line along East Bay armed with musketry and cannon. The streets were strongly traversed. Leaden weights from the windows were freely given up to be run into musket balls. Masters and servants heartily united in the construction of fortifications, and all cannon which could be secured were mounted at convenient points whence their converging fire might most surely impede the advance of the enemy. At this trying moment the patriotism of the Carolinians was conspicuous.

Major-General Charles Lee, recently assigned to the command of this department and newly arrived, accompanied by Brigadier-General Howe and some other officers, shortly after the 4th of June made a careful inspection of the defenses at Haddrell's Point and on Sullivan's Island. At this time Fort Sullivan was

finished only in front and on one side. Its rear was open, and the troops assigned to its occupancy were encamped behind the work "in huts and booths covered with palmetto leaves." The force on the island consisted of some twelve hundred men. Ten thousand pounds of powder had been there accumulated for the service of small arms and the heavy guns. So impressed was General Lee with the insecurity of the position that he openly declared Fort Sullivan "could not hold out half an hour." Its platform he pronounced "but a slaughtering stage." He even suggested to President Rutledge the advisability of evacuating both the fort and the island. This proposition, however, was indignantly rejected by that distinguished South Carolinian. Unwilling to assume the responsibility of ordering an abandonment, General Lee contented himself with diminishing the forces and withdrawing a considerable amount of the ammunition. Haddrell's Point was strongly reinforced by continental and colonial troops under General Armstrong, and a bridge was thrown from that post, across the cove, to Sullivan's Island. A heavy traverse was ordered for the protection of the rear of Fort Sullivan. Evidently anticipating, in the event of an attack, the speedy reduction of that work, General Lee directed his attention mainly to securing avenues of retreat for the forces disposed on that side of the harbor. His communications were all of a depressing character; and, upon the mind of a weak-kneed lieutenant would doubtless have exerted a pernicious influence. Not so, however, with Colonel Moultrie, who, in his "Memoirs," writes as follows: "Gen. Lee one day on a visit to the fort took me aside and said, 'Col. Moultrie, do you think you can maintain this post?' I answered him, 'Yes, I think I can!' That was all that passed on the subject between us. Another time, Capt. Lamperer, a brave and experienced seaman, who had been master of a man of war, and captain of a very respectable privateer many years ago, visited me at the fort after the British ships came over the bar. While we were walking on the platform looking at the fleet, he said to me, 'Well, Colonel, what do you think of it now?' I replied 'that we should beat them.' 'Sir,' said he, 'when those ships (pointing to the men of war) come to lay alongside your fort, they will knock it down in half an hour' (and that was the opinion of all the sailors). 'Then,' I said, 'we will lay behind the ruins and prevent their men from landing.'"[1]

[1] *Memoirs of the American Revolution*, etc., vol. i. pp. 143, 144. New York. 1802.

Notwithstanding these discouraging apprehensions and the dangers attendant upon his advanced position, Colonel Moultrie preserved the "easy temper habitual to him," inspiring his men with confidence and infusing into their breasts a strong impression of final victory. The traverse for the protection of the rear of the fort had been finished, but the work was in an incomplete condition when the British men-of-war opened their broadsides upon it. Dr. Drayton[1] furnishes the following description of the fort at the time of its memorable bombardment: "The fort was a square, with a bastion at each angle, sufficiently large to contain, when finished, one thousand men. It was built of palmetto logs laid one upon the other, in two parallel rows, at sixteen feet distance, bound together, at intervals, with timber dovetailed and bolted into the logs. The spaces between the two lines of logs were filled up with sand: and the merlons were walled entirely by palmetto logs, notched into one another at the angles, well bolted together, and strengthened with pieces of timber. They were sixteen feet thick, filled in with sand, and ten feet high above the platforms: and the platforms were supported by brick pillars. The fort was only finished on the front or south-eastern curtain and bastions, and on the south-west curtain and bastion; the north-eastern curtain and the north-western curtain and bastions were unfinished; being logged up only about seven feet high. Necessity, however, devised an expedient for making the unfinished parts tenable against an escalade by placing thick, long planks upright against the unfinished outside wall, but inclined and projecting over it, which raised the height ten or fifteen feet more, and through which loop-holes were cut for the use of rifles or musketry. The platform therefore, as finished, only extended along the south-eastern front of the fort, and its south-western side. Upon these platforms the cannon were mounted. On the south-east bastion the flag-staff was fixed, bearing a blue flag with a white crescent on which was emblazoned the word LIBERTY: and three 18 and two 9-pounders were mounted there. On the south-east curtain six 26 French pounders and three 18 English pounders were placed; and on the western bastion connected with it, three 26 French pounders and two 9-pounders were stationed. On the south-west curtain six cannon were mounted, 12 and 9-pounders. Connected with the front angle of each rear-bastion of the fort, lines of defense, called cavaliers, were thrown up for a small distance on the right

[1] *Memoirs of the American Revolution*, etc., vol. ii. p. 290. Charleston. 1821.

and left of the fort; and three 12-pounders were mounted in each of them. So that the whole number of cannon mounted in the fort and cavaliers on each side, was thirty-one; of which only twenty-five, at any possible time, could bear upon the enemy stationed in front of the fort; and even then four 9-pounders on the two inner sides of the front bastions could be scarcely used. Narrow platforms or banquettes were placed along the walls, where the plank was raised against them, for the men to stand upon and fire through the loop-holes. Such was the situation of Fort Sullivan on the 27th day of June; and its garrison consisted of the Second South Carolina regiment of infantry, amounting to 413 of all ranks, and a detachment of the Fourth South Carolina regiment of artillery of 22, amounting together to 435: the whole being under the command of Colonel William Moultrie of the above second regiment."

Between the 4th and 8th of June, thirty-six of the enemy's vessels crossed the bar and anchored in Five-Fathom Hole. Simultaneously Major-General Clinton effected a landing on Long Island with some three thousand infantry, and, under a flag of truce, sent a characteristic proclamation, dated June 6th, on board the Sovereign Transport, in which he exhorted an immediate return to duty, and offered in his majesty's name free pardon to all who would lay down their arms and submit to the laws. This proclamation was addressed to "the Magistrates of the Province of South Carolina, to be by them made public." It is scarcely necessary to state that this august document failed to produce the slightest impression upon the minds, or in any wise to modify the action of the patriots.

On the morning of the 28th of June, the British squadron bore down upon Fort Sullivan. Between ten and eleven o'clock the engagement was opened by the Thunder-Bomb ship, covered by the Friendship of twenty-six guns. Soon afterwards, the Active of twenty-eight guns, the Bristol and the Experiment of fifty guns each, and the Solebay of twenty-eight guns came into position and participated in the bombardment. The Syren and the Acteon, each carrying a battery of twenty-eight guns, and the Sphinx of twenty guns, forming a line parallel with and in rear of the first, and opposite the intervals, united in the heavy cannonade against the low-lying palmetto fort from which issued a deliberate, sure, and destructive return fire.

After a bombardment of more than an hour failing to silence the fort, the British commander ordered the Acteon, the Sphinx,

and the Syren to pass the work and occupy a position in Rebellion Road towards the cove of Sullivan's Island whence the front platforms of the southeast curtain and its two bastions, the fire from which had been particularly damaging to the attacking ships, could be enfiladed. Had this movement been accomplished, there is little doubt but that the cannoneers would have been speedily driven from their guns, and the pieces themselves dismounted. In attempting, however, to stand well over towards the lower Middle-Ground opposite the fort, so as to pass clear of the front line of ships then closely engaged, these vessels became entangled on the shoal. There the Acteon remained immovably fixed in the sand, having first run foul of the Sphinx and caused the loss of her bowsprit. Freeing themselves from their dangerous situation, the Syren and the Sphinx retired behind the line of battle and beyond the range of the fort's guns until they could fit themselves for a renewal of the contest. After throwing some fifty or sixty shells, which caused no material injury to the fort, the recoil of the heavily charged mortars so shattered their beds and endamaged the ship that the Thunder-Bomb became useless for further service. Meanwhile the engagement had been vigorously maintained at short range by the Active, the Bristol, the Experiment, and the Solebay. During the afternoon their fire was again reinforced by that of the Syren and the Friendship. Slackening with the setting sun, the cannonading on both sides ceased entirely at half past nine o'clock. Slipping their cables at eleven o'clock, the British ships, their decks wet with blood and their hulls battered with the well-directed shots from the fort, silently and sullenly retired with the last of the ebb to their former station near Five-Fathom Hole. The native palmetto had withstood the assault of foreign oak. The new levies of an unformed republic had repulsed the attack of the boasted mariners of England. General Clinton, who purposed a descent upon the northeastern end of Sullivan's Island, defended by Colonel Thomson, supported by Colonel Muhlenberg, perceiving that his difficult advance would be stoutly disputed, abandoned his intention and remained a passive spectator of the action.

The attention of the fort was mainly directed to the Bristol and the Experiment, both fifty-gun ships, and the former the flag-ship of Sir Peter Parker. They encountered a loss of one hundred and sixty-four in killed and wounded. Among the latter was Sir Peter himself. But for the scarcity of powder in the fort, the damage inflicted upon the enemy would have been far

greater. Officers and men behaved with the utmost coolness and courage.

During the severest stage of the bombardment the flag-staff of the fort, formerly a ship's mast, from the head of which floated the garrison flag eagerly watched by the thousands who lined the battery in Charlestown, anxious spectators of the exciting scene, and by those who held the fortifications in the harbor, was shot away, and fell with the colors outside the fort. Sergeant Jasper, perceiving the misfortune, sprang from one of the embrasures and, deliberately walking the entire length of the front of the fort until he reached the fallen colors on the extreme left, detached them from the mast, called to Captain Horry for a sponge-staff, and having with a thick cord lashed them to it returned within the fort and, amid a shower of balls, planted the staff on the summit of the merlon. This done, waving his hat, he gave three cheers, and then shouting "God save liberty and my country forever!" retired unhurt to his gun,[1] where he continued to fight throughout the engagement. This flag so gallantly reinstated had been designed by Colonel Moultrie, and consisted of a blue field with a white crescent on which was emblazoned the word LIBERTY. Its restoration revived the hopes of many at a distance who, ignorant of the cause of its disappearance, feared the fort had struck.

During the second day's bombardment,[2] about eleven o'clock in the forenoon, while the Federal solid shots were battering the walls of Fort Pulaski, and mortar shells bursting above, within, and around, were scattering their fragments everywhere, the halyards of the garrison flag which floated from the staff planted upon the parapet just over the sally-port were carried away by a projectile and the colors fell. Lieutenant Hussey of the Montgomery Guards and Private Latham of the Washington Volunteers, advancing along the parapet swept at all points by deadly missiles, and freeing the flag from its fallen and entangled position, bravely bore it to the northeastern angle of the fort, where,

[1] Bancroft thus commemorates this occurrence: "In the fort, William Jasper, a sergeant, perceived that the flag had been cut down by a ball from the enemy and had fallen over the ramparts. 'Colonel,' said he to Moultrie, 'don't let us fight without a flag.' 'What can you do?' asked Moultrie; 'the staff is broken off.' 'Then,' said Jasper, 'I'll fix it on a halberd and place it on the merlon of the bastion next the enemy;' and leaping through an embrasure and braving the thickest fire from the ship, he took up the flag, returned with it safely, and planted it, as he had promised, on the summit of the merlon." *History of the United States*, vol. viii. p. 406. Boston. 1860.

[2] April 11, 1862.

rigging a temporary staff on a gun-carriage, they again, amid the smoke and din of the conflict, unfolded in proud defiance the Stars and Bars of the Confederacy. After a lapse of more than three quarters of a century History repeated herself, and that right valiantly, on a kindred shore.

As Sergeant McDaniel, of Captain Huger's company, — his stomach and bowels carried away by a cannon shot, — lay dying at his gun, summoning his last energies he exclaimed: "Fight on, my brave boys; don't let liberty expire with me to-day!"

Dr. Gordon[1] tells us that Sergeant Jasper, when removing from the blood-stained platform the body of his dead compatriot, cried out to the powder-begrimed cannoneers, "Revenge this brave man's death."

Although the fort was struck by many shots, the spongy texture of the palmetto logs received them without giving off splinters, and consequently less injury was experienced than would otherwise have occurred. Only twelve of the garrison were killed and twenty-five wounded.

More than forty years afterwards, perpetuating the impressions of this signal victory, Dr. Drayton[2] thus paints the scene: "The morning of the 29th of June presented a humiliating prospect to British pride. To the southwest of the fort, at the distance of near a mile, lay the Acteon frigate fast ashore on the Lower-Middle-Ground. Below the fort, about two miles and a half, the men of war and transports were riding at anchor opposite Morris' island, while Sir Peter Parker's broad pendant was hardly to be seen on a jury main-top-mast considerably lower than the foremast of his ship. And on the left General Clinton was kept in check by the troops under Colonels Thomson and Muhlenburg. On the contrary, how glorious were the other points of view! The azure colors of the fort, fixed on a sponge-staff, waved gently on the winds. Boats were passing and repassing in safety from and to the fort and Charlestown, and the hearts of the people were throbbing with gratitude and the most exhilarating transports."

Congratulations upon this important victory flowed in from every quarter. General Lee, on the 30th, reviewed the garrison and in person thanked officers and men "for their gallant defense of the fort." The wife of Major Barnard Elliott presented to the second regiment "an elegant pair of embroidered colors." They

[1] *History of the United States*, vol. ii. p. 287. London. 1788.

[2] *Memoirs of the American Revolution*, etc., vol. ii. p. 304. Charleston. 1821.

were received by Colonel William Moultrie and Lieutenant Colonel Isaac Motte. In tendering them "as a reward justly due," she said, "I make not the least doubt, under Heaven's protection, you will stand by them as long as they can wave in the air of liberty." Colonel Moultrie promised "that they should be honorably supported and never tarnished by the Second Regiment." He then handed one of them to Sergeant Jasper, who, smiling as he received the precious emblem, "vowed he would never give it up but with his life."[1] How nobly he afterward redeemed this pledge the sequel will show.

On the 4th of July Governor Rutledge visited the fort and in the name of the young commonwealth tendered sincere thanks and congratulations. Publicly commending the heroic behavior of Jasper, he removed from his side his own sword, and presented it to him "as a reward for his bravery and an incitement to further deeds of valour."

The governor also then tendered him a commission which was modestly declined. "Were I made an officer," said he, "my comrades would be constantly blushing for my ignorance, and I should be unhappy feeling my own inferiority. I have no ambition for higher rank than that of a Sergeant."

By authority of the president the name of Moultrie was conferred upon the fort, and on the 20th of July a resolution of thanks was passed by congress, then in session in Philadelphia.

Six days after this memorable victory, the United Colonies were declared free and independent. Commingled with the exultations which greeted this momentous proclamation was universal joy at thought of this great success on the low-lying shores of Carolina. Among the incidents of that gallant defense none was more widely disseminated or more enthusiastically applauded than the replacement of the fort's colors by the intrepid Jasper.

So tardy were the means of communication when the electric telegraph and conveyance by steam were wholly unknown that the Declaration of Independence, sanctioned in Philadelphia on the 4th of July, 1776, was not heard of in Georgia until the 10th of August. On that day an express messenger delivered to President Bulloch a copy of that memorable document, accompanied by a letter from John Hancock, president of the Continental Congress. The Provincial Council was at once assembled and to it did President Bulloch read aloud that historic utterance of the delegates of the thirteen colonies, concluding with the

[1] Horry's *Life of Marion*, p. 43.

brave announcement, "We therefore, the Representatives of the United States of America in General Congress assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions do, in the name and by authority of the good people of these Colonies, solemnly publish and declare that these United Colonies are, and of right ought to be, Free and Independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that as Free and Independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Profound was the impression created by the reading of the document, and rapturously did the assembled councilors hail the elevation of a British Colony into the dignity of a free and independent State.

This ceremony concluded, the president and council repaired to the public square where, in front of the building set apart for the deliberations of the Provincial Assembly, the Declaration of Independence was again read, and this time amid the acclamations of the congregated citizens of Savannah. The grenadier and light infantry companies then fired a general salute. A procession was formed consisting of

The Grenadiers in front;
The Provost Marshal on horseback, with his sword drawn;
The Secretary, bearing the Declaration;
His Excellency the President;
The honorable the Council, and gentlemen attending;
The Light Infantry;
The Militia of the town and district of Savannah;
and lastly, the citizens.

In this order they marched to the liberty pole, where they were met by the Georgia battalion. Here the Declaration was read for the third time. At the command of Colonel McIntosh, thirteen volleys were fired from the field-pieces and also from the small arms. Thence the entire concourse proceeded to the battery, at the Trustees' Garden, where the Declaration was publicly read for the fourth and last time, and a salute was fired from the siege guns planted at that point.

His excellency, the members of council, Colonel Lachan McIntosh, many gentlemen, and the militia dined under the cedar-trees and cordially drank to the "prosperity and perpetuity of the United, Free, and Independent States of America."

In the evening the town was illuminated. A funeral procession, embracing a number of citizens larger than had ever been congregated in the history of Savannah, and attended by the grenadier and light infantry companies, the Georgia battalion, and the militia, with muffled drums, marched to the front of the court-house where his majesty George the Third was interred in effigy, and the following burial service, prepared for the occasion, was read with all solemnity: —

"For as much as George the Third, of Great Britain, hath most flagrantly violated his Coronation Oath, and trampled upon the Constitution of our country and the sacred rights of mankind: we, therefore, commit his political existence to the ground — corruption to corruption — tyranny to the grave — and oppression to eternal infamy; in sure and certain hope that he will never obtain a resurrection to rule again over these United States of America. But, my friends and fellow-citizens, let us not be sorry, as men without hope, for TYRANTS that thus depart — rather let us remember America is free and independent; that she is, and will be, with the blessing of the Almighty, GREAT among the nations of the earth. Let this encourage us in well doing, to fight for our rights and privileges, for our wives and children, and for all that is near and dear unto us. May God give us his blessing, and let all the people say AMEN."

With similar joy was the Declaration of Independence welcomed in the other parishes of Georgia. St. John's Parish, the home of Hall and Gwinnett, two of the signers, was most pronounced in its demonstrations of approval.

Now that Georgia had been formally recognized as a State by the highest congress known to the late provinces, and as it had been recommended by the Colonial Congress that governments should be provided in the several States adapted to the exigencies of the new order of affairs and conducive to the happiness and safety alike of the respective States and of the United States, President Bulloch issued his proclamation ordering a general election to be held between the 1st and the 10th of September for the purpose of selecting representatives to meet in convention in Savannah on the first Tuesday in October.

He also directed that a circular letter should be addressed to the inhabitants of the parishes and districts of Georgia, congratulating them upon the happy political outlook, reminding them of the important business to be transacted by the convention, and impressing upon them the necessity for selecting delegates of approved patriotism and of the highest character, — men whose friendship to the cause of freedom had been thoroughly proven, and whose political wisdom qualified them to frame the best constitution for the future government of the commonwealth.

Another proclamation was issued for the encouragement of the recruiting service within the limits of the State. It was based upon a resolution of the Provincial Congress which provided that every one entering the army, who should serve faithfully for a period of three years, or until peace was concluded with Great Britain, should be entitled to a bounty of one hundred acres of land. It was further stipulated that if he perished in defense of his State his wife or family would be complimented with the land.

When it became apparent that the disagreements between Great Britain and her American colonies were likely to result in serious consequences, Georgia was careful to explain to the neighboring Indians the nature of the dispute and to exhort them to maintain a friendly correspondence. The rebel authorities of Carolina were equally solicitous to prevail upon the aborigines to take no sides in the impending contest. These efforts were, however, overruled by the royal superintendent of Indian affairs and by the Florida authorities, who were eager to enlist the red warriors in behalf of the Crown. The poverty of the colonies prevented them from complimenting the savages with presents sufficiently generous to perpetuate their good-will. Taking advantage of the unsettled condition of affairs, and hearkening to the advice and the bribes of royal agents, the Cherokees, in violation of established treaties, began depredating upon the frontiers of Georgia and the Carolinas. To these lawless and bloody acts were they largely incited by Captain Stuart, his majesty's superintendent of Indian affairs in the Southern Department, and by Mr. Cameron, his assistant. While the British forces were threatening Savannah and Charlestown it was impossible to withdraw the troops from the coast or to arrange any formidable expedition for the punishment of the Cherokees. As an inevitable consequence, the frontier settlements were, for some time, sadly

harassed, and many were the atrocious massacres perpetrated by the inhuman enemy.

Upon the departure of the British fleet after its unsuccessful attack upon Fort Moultrie, opportunity was afforded for concentrating a strong force for the chastisement of the savage invaders. To this end the concerted action of Georgia, the Carolinas, and of Virginia was directed. Colonel Williamson, of District Ninety-Six, was placed in command of the South Carolina troops, consisting of the sixth regular regiment, a part of the third, and a considerable body of militia. General Rutherford, with nineteen hundred men from North Carolina, crossed the mountains and entered the Cherokee country. Two or three times was he vigorously attacked, but he finally succeeded in signally repulsing the savages. The Indian settlements to the northward were at the same time invaded by the Virginia militia commanded by Colonel Christie. Simultaneously, Colonel Jack led a column of Georgians, composed of five companies commanded respectively by Captains John Twiggs, John Jones, Leonard Marbury, Samuel Alexander, and Thomas Harris, and numbering in all about two hundred men, against the Cherokee towns on the head waters of the Tugaloe and the Chattahoochee.

Thus assailed from every direction, the Cherokees were, in a short time, vanquished and compelled to sue for peace. Their cornfields were laid waste. Their towns were burned. Their cattle and horses were taken from them. Many were slain. About five hundred of their number, pinched by hunger, sought refuge with Stuart, the Indian superintendent, in West Florida where, for a while, they were fed at the expense of the British government. Multitudes were driven into the mountains and compelled to subsist, as best they could, upon roots and native fruits.

Severely scourged, they sued for peace. Within less than three months the war was ended. So crippled was the Cherokee nation that for some time it was rendered incapable of annoying the frontiers. The American loss did not exceed fifty men. To the savages, thus humbled, impoverished, and decimated, a miserable repose was accorded. Articles of a definitive treaty of peace were subsequently concluded, and, on the 20th of May, 1777, signed at Dewit's corner, between the States of South Carolina and Georgia on the one part and the Cherokee nation on the other. By this treaty Carolina acquired considerable territory; and Fort Rutledge, with a garrison of two independent

companies, was established at Seneca. Friendly intercourse was resumed which, for several years, remained uninterrupted.[1]

The enemy having retired from the Carolina coast, General Charles Lee, then in command of the Southern Department, directed his attention to concerting measures for the protection of the States of South Carolina and Georgia. Through President Rutledge he requested the council of safety in Savannah to send two of their number to Charlestown that they might "confer with him upon the state of Georgia and the mode of putting it in the best posture of defence against all enemies external and internal." Jonathan Bryan, John Houstoun, and Colonel Lachlan McIntosh were deputed to wait upon the general. They arrived in Charlestown while the city was still rejoicing over the defeat of the British fleet before the palmetto-covered walls of the fort on Sullivan's Island. To them was prompt and attentive audience accorded. The venerable patriot, Jonathan Bryan, spoke for his committee and the people of Georgia. After recounting the numerous depredations committed on the southern and southwestern frontiers by lawless bands swarming from Florida, and the desolation wrought along the coast by privateers commissioned by Governor Tonyn, he suggested a plan of operations by which these banditti might be slain or dispersed and the town of St. Augustine captured. The defenseless condition of the State and the immediate want of assistance were earnestly pressed upon the attention of the general.

"Not one of the thirteen United Colonies," said the committee, "is so weak within or so exposed from without. To the east the inhabitants suffer the ravages of British cruisers. Their negroes are daily inveigled and carried away from their plantations. British fleets may be supplied with beef from several large islands, well stocked with cattle, which line their coasts, and round which large ships may sail. To the south they have the Province of East Florida, the inhabitants and soldiery of which must of necessity make inroads upon Georgia for the article of provision with which they have been heretofore chiefly supplied. Georgia here stands as a barrier to South Carolina and effectually secures that Province against the like depredations."

[1] See McCall's *History of Georgia*, vol. ii. p. 87. Savannah. 1816. Ramsay's *History of the Revolution of South Carolina*, vol. i. pp. 157, 350. Trenton. MDCCLXXXV. Drayton's *Memoirs of the American Revolution*, vol. ii. chap. xvii. Charleston. 1821. Moultrie's *Memoirs of the American Revolution*, vol. i. p. 185. New York. 1802.

The presence of British troops in St. Augustine, the proximity of Indian nations capable of placing in the field fifteen thousand gun-men and supplied with ammunition from East and West Florida, the existence of a large slave population liable to be tampered with and incited to deeds of violence, and the great advantages which would accrue to England from the conquest of Georgia, aside from the inability of the inhabitants to provide for their security, were all suggested as arguments to induce the General and the Continental Congress to undertake the protection of the State by furnishing at least six battalions of infantry, by supplying guard-boats, erecting forts at strategic points, and by purchasing cattle with which to compliment the Indians and secure their friendship. Moved by the representations of the committee, General Lee at once resolved upon an expedition for the reduction of St. Augustine. Assembling the troops from North Carolina and Virginia, who were still on duty in Charlestown, he informed them that he had planned a secret expedition which, although it involved but little danger, promised large success and abundant booty. He further stated that he would not personally participate in the spoils, but would surrender his share to the volunteers who engaged in the enterprise. These troops responded favorably to his appeal and volunteered for the service. By the 6th of August four hundred and sixty men, "drawn from the first, second, third, and fourth regiments of infantry, rangers, and artillery," were contributed by the Carolina authorities.

What further befell this project, upon the successful accomplishment of which the Georgians had confidently fixed their hopes, is thus succinctly told by Dr. Drayton: "From the 8th to the 15th of August, in the most unhealthy season of the year, when the constitution is severely tried with heat and moisture, and the effluvia of the flowed rice fields is scattering sickness through the land, did General Lee march off on this expedition with the Virginia and North Carolina troops and some of the Colony troops, without necessaries being provided, without even a field-piece or a medicine chest. The rest of the Colony troops, with artillery and such necessaries as could be obtained on the emergency, were sent on by water on the 8th of August, and, going through the inland navigation by the way of Beaufort, they arrived at Savannah on the 17th of that month. General Howe and Colonel Moultrie followed soon after, and General James Moore of North Carolina was left in command at Charlestown.

"On the 18th of August General Lee reviewed, on the green at Yamacraw, every corps, as well the Georgia battalion as the troops which had arrived from South Carolina; and, about the 22d of August a part of the South Carolina troops and Colonel Muhlenburg's regiment marched for Sunbury. After this, troops were detached from Savannah and stationed at Skiddeway island, Ogechie, Ausabaw island, and other places betwixt Savannah and Sunbury; while the remainder were quartered in Savannah and its vicinity. The hopes which General Lee had encouraged, in consequence of his conversation with Mr. Bryan, had not been realized, as neither boats, provisions, nor stores were to be procured sufficient for the exigencies of the expedition. There was scarce an officer of the South Carolina troops who had not a violent fit of illness; and those of the other corps suffered in an equal degree, while fourteen or fifteen men were buried each day at Sunbury; unfortunate sacrifices to so inclement a season.

"During all this time the expedition had not proceeded farther than Sunbury, as, from a want of stores, General Lee had sent to Augusta to have a list of articles procured which Colonel Moultrie had given in as necessary. At this time General Lee may be fairly said to have been in check not by the enemy but by his own hasty and improvident movements, and the force which he had with him was every day becoming less able to carry on the expedition against Florida or to cope with the enemy. From all this, however, he was fortunately relieved by a recall to the northward where General Howe, having taken New York, was becoming very formidable. General Lee accordingly left Savannah early in September, ordering the Virginia and North Carolina troops to follow him, and leaving the troops much greater sufferers by his conduct than by the arms of the enemy. And in this manner ended the East Florida expedition."[1]

In arranging the details of, and in suitable preparation for this expedition General Lee was seriously at fault. Flushed by the recent victory in Charlestown harbor, and acting precipitately upon the suggestion of others, he began his movement without reflection and in the absence of requisite supplies and needful transportation. The affair too was planned and inaugurated at a

[1] Drayton's *Memoirs of the American Revolution*, vol. ii. p. 335. Charleston. 1821. Compare Ramsay's *History of the Revolution of South Carolina*, vol. i. p. 152. Trenton. MDCCLXXXV. McCall's *History of Georgia*, vol. ii. p. 95. Savannah. 1816.

season of the year when, to unacclimated troops, a hot sun and marish grounds were enemies far more dangerous than the weapons of the foe against whom their energies were to be directed. It is singular that a soldier of General Lee's training and reputation should have been guilty of such neglect.

Colonel Moultrie, to whom the immediate command was tendered, declined to assume the offensive until he should be furnished with at least eight hundred men and such supplies as he then enumerated.[1] Doubtless the general was encouraged to immediate action by the eager Georgians who were chafing under the indignities and losses to which they had been subjected by the Floridian banditti. With them the wish was father to the thought, and they yearned to see the nest destroyed in which such foul birds were sheltered. Jonathan Bryan and Nathan Brownson reflected the general sentiment of the community when, in answer to certain questions propounded by General Lee, they responded: "that an irruption into the Province of East Florida will be attended with the most salutary consequences to this Province, and of course render service to the whole continent." The failure of the expedition was a grievous disappointment to Georgia. Its abandonment, in the language of McCall,[2] "gave confidence to the enemy and induced many to join them who had previously been inactive."

Of the defenseless condition and needs of Georgia the Continental Congress was not unmindful. Sixty thousand dollars were appropriated to defray the charge of enlisting two additional battalions (one of them to consist of riflemen) to serve in that State. The legislatures of Virginia and of the Carolinas were requested to allow recruits for these organizations to be obtained within their borders. Four galleys were ordered for the protection of the coast, and two artillery companies, of fifty men each, were to be raised as garrisons for the two forts to be erected, one at Savannah, and the other at Sunbury.

Meanwhile, however, Georgia was neither tardy nor parsimonious in devising measures for her self-protection. Captain Bowen was accredited to the governor at Cape François for the purpose of purchasing armed vessels, warlike stores, and medicines necessary for troops in the field. Captain Pray was, on the 18th of October, 1776, directed by the council of safety to proceed to

[1] Moultrie's *Memoirs of the American Revolution*, vol. i. p. 185. New York. 1802.

[2] *History of Georgia*, vol. ii. p. 96. Savannah. 1816.

St. Thomas and there procure seamen, small arms, ammunition, and swivels. He was empowered to mount on the vessel engaged to transport his cargo to Georgia as many carriage guns as she could conveniently bear.

For the defense of the southern frontier all available troops were posted at Darien, at Fort Howe, at Beard's Bluff,[1] and at Fort McIntosh. Thus did Georgia, by every means at command, prepare for battle.

[1] While Lieutenant Bugg with a detachment was marching to this point he was surprised by a party of Indians concealed in the swamp of Beard's Creek. Three of his men were killed, and his detachment was put to flight. Subsequently Captain Chesley Bostwick was ordered to that post, with his company. He there built a small stockade fort. See McCall's *History of Georgia*, vol. ii. p. 97. Savannah. 1816.

CHAPTER XIII.

CONSTITUTION OF 1777. — FORT MCINTOSH ATTACKED BY FUSER, BROWN, CUNNINGHAM, AND MCGIRTH. — DEFENDED BY CAPTAIN WINN. — THE FORT SURRENDERS. — TREACHERY OF THE ENEMY. — EXPEDITION FROM EAST FLORIDA MET AND DISPERSED BY COLONEL MCINTOSH. — PRESIDENT BULLOCH REQUESTED "TO TAKE UPON HIMSELF THE WHOLE EXECUTIVE POWERS OF GOVERNMENT." — DEATH OF MR. BULLOCH. — BUTTON GWINNETT APPOINTED PRESIDENT. — COLONEL LACHLAN MCINTOSH ADVANCED TO THE GRADE OF BRIGADIER-GENERAL. — GWINNETT PLANS AN EXPEDITION AGAINST EAST FLORIDA. — AFFAIR BETWEEN COLONEL BAKER AND COLONEL MCGIRTH. — COLONEL SAMUEL ELBERT. — LIEUTENANT WARD ATTACKED AND SLAIN. — DISASTROUS FAILURE OF GWINNETT'S EXPEDITION. — JOHN ADAM TREUTLEN ELECTED GOVERNOR. — DISAGREEMENT BETWEEN GWINNETT AND MCINTOSH. — DUEL AND DEATH OF GWINNETT. — MCINTOSH LEAVES GEORGIA AND IS ASSIGNED TO DUTY BY GENERAL WASHINGTON. — NOTICE OF BUTTON GWINNETT.

IN obedience to the proclamation and circular letter of President Bulloch, the various parishes of Georgia, within the specified time, proceeded to the election of delegates to the constitutional convention which was ordered to assemble in Savannah on the first Tuesday in October, 1776. These delegates were men of repute in the communities from which they came. They had been carefully chosen, were pronounced friends of liberty, and were not insensible to the weighty obligations resting upon them. At this crisis of the nation's fate so numerous were the subjects claiming the attention of the convention, and so exhaustive were its deliberations, it was not until the 5th of February, 1777, that satisfactory conclusions were reached, and that the constitution was promulgated which for twelve years defined and supported the rights of Georgia as an independent State.

The preamble of this instrument[1] reads as follows: "Whereas the conduct of the Legislature of Great Britain for many years past has been so oppressive to the people of America that of late years they have plainly declared and asserted a right to raise taxes upon the people of America and to make laws to bind them in all cases whatsoever without their consent; which conduct

[1] See *A Digest of the Laws of the State of Georgia*, etc., p. 7, by Robert and George Watkins. Philadelphia. 1800.

being repugnant to the common rights of mankind hath obliged the Americans, as freemen, to oppose such oppressive measures, and to assert the rights and privileges they are entitled to by the laws of nature and reason: and accordingly it hath been done by the general consent of all the people of the States of New Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New York, New Jersey, Pennsylvania, the counties of New Castle, Kent, and Sussex on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, given by their representatives met together in General Congress in the City of Philadelphia:

"And whereas it hath been recommended by the said Congress on the fifteenth of May last to the respective Assemblies and Conventions of the United States where no government sufficient to the exigencies of their affairs hath been hitherto established, to adopt such government as may, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular and America in general:

"And whereas the independence of the United States of America has been also declared on the fourth of July one thousand seven hundred and seventy six by the said honorable Congress, and all political connection between them and the Crown of Great Britain is in consequence thereof dissolved:

"We therefore, the Representatives of the people, from whom all power originates and for whose benefit all government is intended, by virtue of the power delegated to us, do ordain and declare, and it is hereby ordained and declared that the following rules and regulations be adopted for the future government of this State."

Then follow sixty-three articles creating the legislative, executive, and judicial departments of the State government, defining the powers and provinces of each, and providing the machinery for the safe guidance of the new commonwealth.

The following analysis of this important instrument will not be deemed inappropriate.

The legislative, executive, and judicial departments were declared separate and distinct, so that neither should intrench upon or presume to exercise the powers properly belonging to the other.

The legislature was to be composed of members coming from and elected by the people. They were to be annually chosen on the first Tuesday in December from the inhabitants of the respective counties composing the State, and must have resided at

least twelve months in Georgia and three months in the county which they were severally selected to represent. They were to be of the Protestant religion, at least twenty-one years of age, and possessed in their own right of two hundred and fifty acres of land, or of property to the value of two hundred and fifty pounds. To the freeholders of Glynn and Camden who, on account of their proximity to Florida, were in a state of constant alarm, was accorded the privilege of electing one representative each from some other county until their affairs were in a more settled condition.

The first Tuesday in January in each year, and the town of Savannah, or such other place as the House of Assembly for the time being should direct, were named as the time and place for the annual convocation of the legislature.

On the first day of their meeting the representatives were directed to proceed to the choice of a governor, whose title should be *Honorable*, and to the election of an executive council to be selected from their own number. These elections were to be ascertained by ballot. There were to be two members of this executive council from each county entitled to send ten representatives. The executive council being thus selected, the remaining representatives constituted the House of Assembly; and a majority of such members was declared competent for the transaction of business. At least one member of the executive council from each county was required to be in constant attendance at the residence of the governor. All members were entitled to be present if they so desired; and, in the performance of this service, they could rotate with each other for a longer or shorter period as they might agree among themselves.

Each House of Assembly was to expire annually on the first Monday in December.

Parishes were abolished and counties erected in their stead. The ceded lands north of the Ogeechee were formed into a county and named *Wilkes*. The parish of St. Paul constituted a second county, and was called *Richmond*. A third county was erected out of the parish of St. George, and named *Burke*. The parish of St. Matthew and that part of St. Philip lying above the Cannouchee River were consolidated into a fourth county called *Effingham*. Christ Church Parish and that part of the parish of St. Philip lying below the Cannouchee River were united into a fifth county, and named *Chatham*. By the union of the parishes of St. John, St. Andrew, and St. James was the

county of *Liberty* formed. The parishes of St. David and St. Patrick were made to constitute a seventh county which was named *Glynn*. The eighth county, called *Camden*, was composed of the parishes of St. Thomas and St. Mary.

On account of the paucity of their population the counties of Glynn and Camden were declared entitled to only one representative each. The county of Liberty, being composed of three populous and wealthy parishes, was allowed fourteen members in the House of Assembly. Each of the other counties was permitted to send ten representatives. The port and town of Savannah were allowed four members to represent their trade. For the same reason two members were accorded to the port and town of Sunbury. It will be perceived that in naming these counties the convention was not unmindful of the debt of gratitude which Georgia, in common with her sister American colonies, owed to distinguished statesmen and friends in England who had espoused the cause of justice, humanity, and liberty. As a tribute to the early and conspicuous devotion of the citizens of St. John's Parish to the cause of freedom, the consolidated parishes of St. John, St. Andrew, and St. James were called LIBERTY COUNTY.

In the case of counties subsequently to be laid out by order of the House of Assembly it was ordained that "at their first institution each county shall have one member, provided the inhabitants of the said county shall have ten electors; and if thirty, they shall have two; if forty, three; if sixty, four; if eighty, six; if one hundred and upwards, ten; at which time two executive Councillors shall be chosen from them as is directed for the other counties."

With the House of Assembly rested the power to frame laws and regulations conducive to the good order and well-being of the State, to repeal such as proved injurious to the people, to choose its own speaker, appoint its own officers, settle its own rules of procedure, issue writs of election for supplying vacancies, and to authorize such adjournments within the year as it might deem proper.

Except in cases of great necessity and danger, every law or ordinance was to be read three times and on three separate days. After the second reading it was to be sent to the executive council for perusal and advice.

The following is the clause prescribing the qualification of voters: "All male white inhabitants of the age of twenty-one

years, and possessed in his own right of ten pounds value, and liable to pay tax in this State, or being of any mechanic trade, and who shall have been resident six months in this State, shall have a right to vote at all elections for representatives or any other officers herein agreed to be chosen by the people at large: and every person having a right to vote at any election shall vote by ballot personally."

Freedom from arrest while going to, attending at, and departing from the election precincts was guaranteed. No officer or soldier was permitted to appear at the polls in a military capacity. All elections were declared free and open.

Voting more than once on any occasion was forbidden, and the voter was enjoined to cast his vote in the county of his residence. No one holding any title of nobility was permitted either to vote for representatives or to hold any post of honor, profit, or trust in Georgia until he had renounced such distinction in a manner to be pointed out by the legislature.

Every person absenting himself from an election and neglecting to deposit his ballot, except for just cause, was declared liable to pay a fine not exceeding five pounds.

The ballots cast for representatives were to be taken by two or more justices of the peace in each county, whose duty it was to provide a convenient box for receiving them. Upon closing the polls the ballots were to be publicly compared with the list of voters which had been kept, and the result of the election was to be immediately thereafter declared. Certificates were then to be given to the persons elected, and like certificates were to be returned to the House of Representatives.

Continental delegates were to be appointed annually by ballot. They had a right to sit, debate, and vote in the House of Assembly, and to be deemed members thereof.

No person holding any post of profit under Georgia, or any military commission other than in the State's militia, was competent for election as a representative. If any representative accepted any such place of profit or military commission, his seat in the House of Assembly became, *eo instanti*, vacant. The office of a justice of the peace was not reckoned a post of profit.

No one was permitted to hold at the same time more than one office of profit within the gift of the State.

The executive powers of the government were confided to the governor, who was to exercise them under the advice of the executive council. Authorized to reprieve a criminal or to suspend the

collection of a fine, he was required to refer the question of pardon or remission to the House of Assembly, whose determination was conclusive. With the advice of the executive council he possessed the power to convoke the House of Assembly upon an emergency, and to fill all vacancies occurring prior to general elections. All commissions, civil and military, were issued by him under his hand and the great seal of state. Except when they were considering laws and ordinances submitted by the House of Assembly, it was made the duty of the governor to preside at all meetings of the executive council. He was to be elected annually by ballot, and was not eligible to office more than one year out of three. During his term of office he was debarred from holding any military position whatever, and was compelled to reside at such place as the House of Assembly for the time being should direct. No person was eligible for the office of governor who had not been for three years a resident of the State.

The executive council was required to meet the day after election and to select a president out of and from its own membership. It was vested with power to appoint its own officers and to frame rules for its procedure. In all deliberations of council the vote was to be taken by counties, and not individually. It was the privilege of each member of council, within three days after a measure was discussed and determined upon, to have his protest formally entered.

During sessions of the assembly it was made the duty of all the members of council to be present that they might examine the laws and ordinances submitted by the House of Assembly. Laws and ordinances so referred were to be returned within five days with any remarks the council deemed it proper to make in reference to them. Committees from council, sent to the House with proposed amendments to any law or ordinance, were required to deliver their reasons for such amendments, "sitting and covered," the House at the time, with the exception of the speaker, being uncovered.

In the absence or during the illness of the governor, the exercise of his powers devolved upon the president of the executive council. Communications from the House to the governor or to the executive council were to be delivered through the medium of a committee. Messages from the governor to the House were to be borne by the secretary of council, and those from the executive council by a committee of that body.

The governor for the time being was to be the captain-general and commander-in-chief of the militia, and of the military and naval forces of the State.

All commissions granted to militia officers were to remain valid only during the good behavior of the parties commissioned.

The militia, in counties possessing a population of two hundred and fifty men and upwards capable of bearing arms, was to be organized into one or more battalions. Where the number of inhabitants liable to do military duty, within the limits of a county, was less than two hundred and fifty, independent companies were to be formed.

A superior court of general jurisdiction was to be established in each county, with two sessions in each year.

All causes arising between parties residing in the same county were to be tried within that county.

Matters in dispute between contending parties, resident in different counties, were to be tried in the county in which the defendant resided; save that in cases involving the title to real estate adjudication was to be sought in the county in which the land was situated. Breaches of the peace, felonies, and treason were to be tried in the county where the crime was committed. Where the population of a county was insufficient to form a court for the trial of causes both civil and criminal originating within its limits, those causes were triable in the county next adjacent in which a competent court could be found. The bench of the superior court was composed of a chief justice and of any three or more justices residing in the county. In the absence of the chief justice the senior local justice on the bench acted in his place.

Provision was made for trial, on appeal, by a special jury. The jury was to judge of the law as well as of the facts.

Captures by sea and land and maritime causes were to be tried by a special court, to be convened by the chief justice in the county where the same were made or arose. Quick determination was to be had, and the mode of procedure was to conform to that established for the guidance of the superior court.

No grand jury should consist of less than eighteen members, any twelve of whom could find a bill.

Courts of conscience as previously established in the province were to be continued with a jurisdiction of ten pounds.

Executions exceeding five pounds, except in the case of a court merchant, might be stayed until the first Monday in March, provided security was given for the payment of the judgment.

All costs attendant upon an action in the superior court were limited to three pounds, and no cause was to be allowed to depend for a longer period than two terms.

Every state officer was liable to be called to account by the House of Assembly.

Each county was required to keep its public records.

Entails were forbidden. The estate of an intestate was to be equally divided among the children, — the widow, if any, taking a child's share or dower, at her option. The estates of other intestates were to be distributed according to the provisions of the act of Charles II., unless otherwise ordered by the legislature.

In each county there was to be a register of probates, appointed by the legislature, "for proving wills and granting letters of administration."

All civil officers in every county were to be annually chosen on the day named for the general election, except justices of the peace and registers of probate, who were to receive their appointments from the House of Assembly.

Schools were to be erected in each county, and supported at the general expense of the State.

Similar provision was to be made for the construction of court-houses and jails.

A free toleration of all religions was guaranteed, provided they were not repugnant to the peace and safety of the State. The support of religious teachers was left entirely optional.

With regard to the great seal of state the following device was prescribed: "On one side a scroll whereon shall be engraved *The Constitution of the State of Georgia*, and the motto *Pro bono publico:* on the other side an elegant house and other buildings, fields of corn, and meadows covered with sheep and cattle; a river running through the same, with a ship under full sail; and the motto, *Deus nobis hæc otia fecit.*"

Permission to plead and practice in the courts of Georgia was to be obtained from the House of Assembly. With that body rested the right to suspend for malpractice. This provision, however, was not intended to abridge the inherent right of every freeman to appear in and conduct his own cause.

Excessive fines and inordinate bail were forbidden. The principles of the *habeas corpus* act were declared a part of the constitution.

The freedom of the press and the right of trial by jury were

to remain forever inviolate. No clergyman was to be allowed a seat in the legislature.

Alterations of and amendments to this constitution could be made only upon petitions from a majority of the counties; those petitions, in each instance, being signed by a majority of the voters of the counties from which they came. Under such circumstances it was the duty of the House of Assembly to call a convention of the people to pass upon the alterations and amendments thus suggested.

Such were the provisions of the first regular constitution adopted by the people of Georgia. They were, in the main, well considered, wise, and suited to the emergency. Many of them have withstood the changes of more than a century, and to this day exert their beneficial influences.

Scarcely had this instrument been published, when an alarm was again sounded on the southern frontier. The king's troops and the Florida banditti were in motion, and the present incursion assumed formidable proportions. On the northeast side of the St. Illa River, on rising ground about eighty yards from the water's edge, and thirty miles in advance of Fort Howe, the Georgians had constructed "a small stockade work," called Fort McIntosh, one hundred feet square, with a bastion at each corner, and a block-house in the centre which answered the purposes of a magazine, a shelter for the garrison, and a tower of defense. The erection of this fort in such an exposed position was suggested by the owners of numerous and extensive herds of cattle ranging between the rivers St. Illa and Alatamaha, who craved protection for their property. Respect being had to this object, the location was well chosen; although, being beyond the line of the Alatamaha, it was isolated in its situation and difficult of relief upon an emergency. Captain Richard Winn, a young officer who had distinguished himself under Colonel Moultrie in the defense of the fort on Sullivan's Island in June, 1776, was in command of this post. Its garrison consisted of forty men from the third South Carolina regiment, and twenty continental troops belonging to the Georgia brigade.

Lieutenant-Colonel Elbert received information that a column, some five hundred strong, under the command of Colonel Fuser, assisted by the notorious Tory officers Brown, McGirth, and Cunningham, and composed of regulars, loyalists, and Indians, had taken up the line of march from St. Augustine and was moving upon Georgia. At day dawn on the morning of the 17th of

February, 1777, an attempt was made by Colonels Brown, Cunningham, and McGirth, at the head of seventy Florida Rangers and eighty Indians, to surprise the garrison of Fort McIntosh. For five hours were continuous assaults launched against the work. These were gallantly repulsed. A demand for unconditional surrender, accompanied by threats of death to the entire garrison in case of refusal, was then urged. Captain Winn proposed and obtained a suspension of hostilities for one hour that he might deliberate. At the expiration of that time he returned the following answer: "I have considered your proposition and am bound in honor not to comply. Should we fall into your hands we shall expect to be treated as prisoners of war." This response was delivered to Colonel Brown by Sergeant Hollis bearing a flag. Upon receiving it Colonel Brown handed him a copy of Lord Howe's proclamation with the request that it be presented to Captain Winn.

Hostilities thereupon recommenced, and were continued until late in the afternoon. Brown then posted a strong guard around the fort to prevent the besieged from escaping under cover of the night, and withdrew his command a short distance. In the fort one man had been killed and three wounded.

Dark coming on, Captain Winn dispatched Sergeant Owens to Colonel Francis Harris, commanding at Fort Howe, informing him of his critical situation and requesting that reinforcements should be immediately sent. Colonel Harris was also to be advised that the fort would hold out as long as possible, and that upon the first intimation of the approach of the desired assistance Captain Winn, with the garrison, would make a sally upon the enemy. Sergeant Owens reached Fort Howe at daylight on the morning of the 18th. Unfortunately, Colonel Harris had only forty men fit for duty, and found himself wholly unable to move for the relief of Fort McIntosh. Meanwhile Colonel Brown awaited the arrival of a reinforcement from the south side of the river, under the conduct of Colonel Fuser, consisting of detachments from the fourteenth, sixteenth, and sixtieth regiments of light infantry, numbering two hundred men.

At nine o'clock on the morning of the 18th the assault was renewed. Sheltering themselves behind logs and stumps, the Indians approached quite near the fort and annoyed the besieged by maintaining a close watch and an accurate fire upon the loopholes. The garrison still hoped for relief from Fort Howe, and held itself in readiness for the contemplated sally. About three

o'clock in the afternoon Captain Winn was a second time summoned to surrender. Deeming it important to gain time, two hours were consumed in consultation. At length, despairing of the expected succor, finding that his ammunition was nearly exhausted and that his provisions would not last beyond another day, that officer proposed a personal conference with Colonel Fuser midway between the fort and its besiegers. Articles of capitulation were drawn up and assented to except one proposed by Captain Winn. That article read thus: "For the further safety of the prisoners against Indian treachery a full company of British Regulars shall escort them to the Alatamaha river opposite Fort Howe, and the British commander shall be responsible for the conduct of the Indians and the Florida Rangers towards the prisoners." It was rejected by Colonel Fuser, who refused to be responsible except for the behavior of the British regulars. Winn thereupon declined to surrender and added that he did not despair of being able to defend the fort until he was reinforced. He reminded Colonel Fuser of the fact that the garrison of a fort upon the confines of Canada, surrendered under similar circumstances, had been murdered by Indians. He also called his attention to the known cruelty of Brown, Cunningham, and McGirth, and to the savage disposition of Cussuppa, the chief in command of the Creek Indians.

Returning within the stockade and advising his men of what had transpired, they one and all heartily indorsed the action of their captain and united in a brave determination to perish honorably in the defense of the post. As hostilities were about to be renewed, Fuser reopened the negotiation and finally consented to incorporate the article in the terms of capitulation. The garrison agreed not to take up arms until regularly exchanged. For the faithful observance of the stipulations contained in the articles of capitulation Lieutenants John Milton and William Caldwell were surrendered as hostages. It was understood that all privileges due to their rank as commissioned officers in the continental army should be fully accorded. Taken to St. Augustine, these gentlemen suffered confinement in the castle for nine months. About sunset the fort was evacuated, the formal surrender being conducted by Captain Winn and Lieutenant Toles. To them their side arms were returned.

Marching with his command under an escort, as stipulated for in the articles of capitulation, Captain Winn proceeded about two miles in the direction of Fort Howe and then encamped.

Early in the evening the British officers and soldiers composing the guard began returning, under various pretexts, to their camp near Fort McIntosh. Remonstrances against this strange and unwarrantable behavior were treated with contempt and derision. By ten o'clock the escort had entirely departed and the Americans were left alone. Suspecting some treachery, Captain Winn roused up his men: and, passing through forests, swamps, and morasses probably never before traversed by Europeans, after a forced march of thirty-five miles reached Fort Howe the next day about ten o'clock.[1]

The news of the capture of Fort McIntosh spread rapidly through the State, and the arms-bearing population flocked to the standard of Colonel McIntosh, who was already in the field and advancing to the line of the Alatamaha. General Robert Howe, who had succeeded General Charles Lee in the command of the Southern Department, was notified at Charlestown of the pending invasion. He at once repaired to Savannah, leaving instructions with Colonel Moultrie to send on a strong detachment. Having sailed through the inland passages, Lieutenant-Colonel Marion with six hundred men, four field-pieces, and an ample supply of ammunition and provisions, reached Savannah on the 28th of February. McIntosh, however, with the first battalion of his brigade and some other troops hastily collected, had already met the enemy, who, surprised at this unexpected demonstration, abandoned the expedition and retreated into the heart of Florida.

So general was the alarm, and so universal the impression that a renewal of these hostilities would occur at an early day, that a large proportion of the militia of the State was ordered into service, and the rest directed to hold itself in readiness to concentrate at a moment's warning. A camp was formed at Midway Meeting-House.

It being found impossible at all times to convene the council of safety with a promptness requisite for the proper dispatch of business, President Bulloch was, by resolution of council adopted on the 22d of February, requested "to take upon himself the whole executive powers of government, calling to his assistance not less than five persons of his own choosing to consult and advise with him on every urgent occasion when a sufficient number of councilors cannot be convened to make a board." Unusual as was this delegation of power it excited neither jealousy nor harsh

[1] See McCall's *History of Georgia*, vol. ii. pp. 98–103. Savannah. 1816.

comment. The times were hazardous, delays dangerous, and decision and prompt action imperatively demanded. The prudence, wisdom, courage, and patriotism of Mr. Bulloch were conspicuous. In him did the people trust with a confidence and a devotion rarely exhibited.

But a little while, however, did he survive to exercise these extensive powers. Before the month of February was ended he died, and the State was filled with mourning. He passed away, the lamp of liberty in his hand trimmed and burning, his noble character, patriotic impulses, and brave acts a precious heritage to his people. The savor of his good name is indissolubly associated with the proudest annals of the period, and he will always be remembered as the first republican president of Georgia.

On the 4th of March, 1777, Button Gwinnett was, by the council of safety, elected president and commander-in-chief until such time as a governor should be duly appointed in accordance with the constitutional provisions.

During the session of the assembly in Savannah a resolution was adopted to add three battalions of infantry and a squadron of dragoons to the Georgia troops serving on the continental establishment, and to form them all into a brigade. Colonel Lachlan McIntosh was to be promoted to the rank of brigadier-general and assigned to the command of these forces. His commission was to bear date as of the 16th of September, 1776. Gwinnett had been a candidate for this position. He was embittered by McIntosh's success. When he assumed the reins of government, he permitted not his anger to slumber. In order to mortify the military pride of his adversary, he endeavored to impress upon the public mind the danger of vesting military commanders and courts-martial with the exercise of any powers which could possibly be withheld from them and entrusted to the civil authorities.

Acting upon this theory he intervened in army matters to such an extent that he seriously impaired the discipline of the troops, and incited among the officers a spirit of insubordination toward the commanding general. Thus, when an officer was charged with an offense either civil or military, Gwinnett claimed the right of trying him before the executive council. If an officer was to be detailed for special duty, or assigned to a temporary command of moment, he insisted that he should take his orders from the president and council. Anxious to signalize his administration by a feat of arms, he planned an expedition against

Florida. The prospect of retaliation was pleasing to the public, and in the breast of the president there lurked an ambitious hope that he would be able to overrun and subdue that sparsely populated province and annex it to Georgia.

Instead of entrusting the command of the expedition to General McIntosh who, as the ranking military officer of the State, was entitled in all fairness and in accordance with custom to expect and to claim it, Gwinnett, heaping affront upon affront, set him aside and determined in person to lead the expedition. His purpose was to form an invading army with the militia and continental troops without consulting General McIntosh on the subject or even allowing him to accompany his brigade. Proclamations were printed which he proposed to scatter broadcast through the land so soon as he crossed the river St. Mary. His idea was that, to insure success, nothing would be needed but to hoist the standard of liberty in Florida, make a show of an army, and encourage the people to a change of government. The movement was to be immediate. Upon reflection, however, remembering that the province of East Florida was largely peopled by loyal refugees from Georgia and Carolina, that no reliance for subsistence could be placed upon the products of the region, and that an accumulation of supplies was requisite before he could venture upon the expedition, he abandoned the scheme as at first chimerically entertained.

Still intent upon the consummation of his ambitious project, he assembled his council, denominating it for the time being a council of war, and concerted the following plan of operations. Sawpit Bluff, twelve miles from the mouth of St. John River, was designated as the place, and the 12th of May as the time for the rendezvous of the forces which were to participate in the reduction of East Florida. Colonel Baker, with the Georgia militia, was to march by land, while Colonel Elbert, embarking four hundred of the continental troops in three galleys and several small boats, was to repair by water to the point indicated. General Howe was requested to furnish some Carolina troops.

After strenuous exertions Colonel Baker succeeded in securing from the militia only one hundred and nine volunteers. With these he proceeded to Fort Howe where he expected Colonel Sumter, with his regiment, to form a junction with him. That officer, however, with his command, had been ordered back to South Carolina. Disappointed, yet not disheartened, Colonel Baker began crossing the Alatamaha River. It was so swollen that its

waters completely filled the swamp on either hand. Forty-eight hours were consumed in effecting a passage. At day dawn on the 4th of May he was attacked by a party of Indians. Lieutenants Robeson and Fraser were wounded. The savages were quickly repulsed. They were pursued as far as Finholloway Creek. Crossing the rivers St. Illa and St. Mary on rafts, Colonel Baker reached Sawpit Bluff on the day appointed. Finding that Colonel Elbert had not arrived, he dispatched Major William Baker with forty men to reconnoitre the country as far as the Cow-ford on the St. John River. He fell in with one Barefield, an inhabitant of the province, who informed him that spies had already communicated intelligence of the advance of the American forces, and that St. Augustine was supposed to be the objective point of the demonstration.

During the night of the 15th Colonel Baker lost forty horses, stolen by Indians. Taking their tracks that officer found them about four miles from his camp, hobbled and on the edge of a deep swamp. He succeeded in recovering them from their captors after sustaining a loss of two men wounded and four or five horses killed.

No intelligence having been received from Colonel Elbert, and the enemy in St. Augustine being aware both of the location of his camp and of the strength of his command, Colonel Baker, on the morning of the 17th, deemed it prudent to change his encampment to a position more favorable both for observation and for retreat, in case he should be attacked by a superior force. While doing so he was confronted by Colonel McGirth. Hastily dismounting his men he prepared for action, which had no sooner commenced than twenty or thirty of his command, without firing a gun, fled into an adjacent swamp. The main body of the enemy, led by Colonel Brown, had been formed in three divisions of one hundred each. Two of them pressed Colonel Baker on the flanks and compelled him to retreat, through a galling fire, into the swamp. The colonel himself narrowly escaped capture, as he was forced to retire on foot, his horse having been appropriated by one of his men. Only about fifty of his command participated in the affair, the rest departing in confusion from the scene of action which was near Nassau River. The Americans lost eight killed (five of whom were butchered by the Indians after they had surrendered), nine wounded, and thirty-one captured. Among the slain were Lieutenants Fraser and McGowen. Lieutenant Robeson was wounded, and Captains

Few and Williams were taken prisoners. The command was wholly dissipated. Some of its members subsequently joined Colonel Elbert, but most of them in small parties made their way back to the Georgia settlements.

Colonel Elbert was much perplexed upon finding that he was placed in command of the continental forces detailed for the expedition, to the exclusion of General McIntosh who, as his superior officer, was entitled to claim that distinction. He was also greatly concerned at the abnormal condition of affairs brought about by orders emanating from President Gwinnett and his council, by which he was required to report directly to, and receive his instructions from, the governor and council. On the 24th of April he communicated with General McIntosh, advising him of the unsatisfactory and disagreeable situation in which he found himself, and expressing his regrets that all requisite orders did not come through his commanding general.[1] He even went so far as to call the attention of the governor and council to the irregularity. Gwinnett, however, controlled his council and, being of an imperious will and implacable in his hate, was firmly resolved to supplant General McIntosh, and subject him, if possible, to humiliation and further disgrace.

The continental troops destined for the expedition having been concentrated at Sunbury and supplied with necessary ammunition and provisions were embarked on board transports on the afternoon of the 30th of April. Impeded by head winds, and delayed by some of the galleys getting aground, Colonel Elbert did not reach Frederica until Sunday, the 11th of May. There he rested his troops until the 18th, when he advanced to the north end of Amelia Island.

Lieutenant Robert Ward, of the second battalion, with a party, was ordered ashore with instructions to proceed to the south end of the island and secure all the inhabitants so that they might be prevented from communicating to the enemy any intelligence of the approach of the Americans. Previously, however, the enemy had there landed a detachment and was observing the movements of General Elbert. Perceiving Ward's approach, the officer in command of the British detachment dispatched a boat to give the alarm to an armed vessel lying at anchor south of the island. Guns were fired by the vessel and these were answered by cannon at the mouth of the St. John River. Attacked by the enemy, Lieutenant Ward was slain and his party driven back.

[1] See MS. order book of Colonel Elbert.

On the 19th thirteen men of Colonel Baker's command joined Colonel Elbert and informed him of the disaster which had occurred at Nassau River. Two days afterwards three others came in and gave fuller report of the unfortunate affair. They, with five others, had been captured by McGirth and placed under the charge of an Indian guard. Falling upon them unexpectedly, the Indians, with hatchets and knives, massacred their five companions. These three, in the confusion, effected their escape. Of Colonel Elbert's approach by water the authorities in East Florida were fully informed. A detachment of artillery, sent from St. Augustine, was occupying a battery erected at Hester's Bluff, and a schooner, mounting ten guns, and an armed sloop were already guarding the inland passage between Amelia Island and the main. At the mouth of the St. John River two war vessels, one of fourteen and the other of sixteen guns, were standing on and off waiting to intercept the American galleys if they attempted an approach from the sea. With them Elbert was unable to cope. Confined within the narrow limits of the galleys, and subjected to the influence of the sun, each day growing hotter, his men were becoming exhausted and discontented. Because of the vexatious delays to which he had been subjected his stock of provisions was already scant, and there was no good prospect of his being able to force the coast guard and obtain a fresh supply from the shores of the St. John's. These untoward circumstances, combined with Colonel Baker's defeat, induced Colonel Elbert to give over his purpose and retire upon Frederica. From Cumberland Island, under date of May 30th, he wrote Major Habersham a letter, from which we extract the following:[1] "I dispatched Lt Col[n] Stirk last Monday night with 90 men to make a forced march under cover of the night and penetrate as far as the Rains where I was in hopes he might surprize and make prisoners of some of the enemy, by which means I expected to get some information of their situation which I am much at a loss for. He returned the next evening without being able to do anything. . . . The same night two men belonging to the *Congress*, and on Tuesday night two men of your regiment, deserted, and are gone to the enemy. This determined me to lose no time in retreating to St Illa, as the enemy will from them be informed of our strength, and what is more, of our having had nothing but rice to eat for five days past. Lieut Col[n] Harris with one hundred men, rank and file, is gone up the north side

[1] MS. order and letter book of Colonel Elbert.

of St Mary's as far as the Ford, from whence he is to march across to St Illa and join us. I am in hopes he will be able to fall in with some of the Florida Scouts and Indians, in which case, I will answer for it, he gives a scourging to double his number, should there be as many. Our brave fellows are in high spirits and wish an opportunity of a trial of skill with the Floridians which I would have given them had I gone to the banks of St John's river. I knew too well the defenceless situation of the State to risk so many of her troops on the turn of a die. Could we have got the gallies into St John's river I would, with the men I had with me, have made the whole Province of East Florida tremble, but without the assistance of vessels to command the river I don't think it would be prudent to cross it with fifteen hundred men. However, if I am commanded, I dare attempt it with half the number. I am well convinced that a post properly established on St Illa, where it can be succoured by water, will be a great means of protecting and securing our southern frontiers. 'T is my opinion, as the enemy are so well prepared for us, that we should lay by awhile; and, if Carolina will assist us, join our forces by and by, and then, with the united force of our gallies and their privateers, make a powerful invasion of that Province. In the mean time we can be arming, clothing, and disciplining our men. In each of those respects they are at present very deficient. I have consulted Commodore Bowen on every occasion, who has agreed with me in all matters, and has ever shown the greatest readiness in forwarding the expedition. He seems a little disappointed at not having had an opportunity of exchanging a few shots with the enemy. The Gallies will do well inland, but I can't help thinking that two or three such vessels as the *Hinchinbrook* would, if they got them at sea, give them a hearty drubbing. This our Enemy were in eager expectation of, as they knew it to be impossible for us to pass Amelia Narrows."

Colonel Elbert's reasons for abandoning the expedition were approved by the president and council. Retiring on the last of May, he reached Old Town on the St. Illa the following day. There he was joined by Colonel Harris and his detachment. From the St. Illa Colonel Elbert proceeded to Fort Howe, whence he marched to Darien, and thence to Savannah. The fleet, under the command of Commodore Bowen, returned to Sunbury. Thus ended this expedition, conceived in ambition and jealousy, planned without due caution, marred in its execution, and utterly without benefit in its results.

In the exercise of his gubernatorial powers, and responding to the emergency caused by the lamented death of Archibald Bulloch, President Gwinnett issued a proclamation requiring the counties to elect delegates to a legislature to convene in Savannah on the first Tuesday in May, 1777. The election of a successor to President Bulloch was the first duty of this assembly. Gwinnett was an avowed candidate for the position.

The legislature met, and, after organizing on the 8th of May by the election of Dr. Noble W. Jones as speaker and Samuel Stirk as secretary, proceeded to the choice of a governor and members of the executive council. John Adam Treutlen was elected governor by a handsome majority, and Jonathan Bryan, John Houstoun, Thomas Chisholm, William Holzendorf, John Fulton, John Jones, John Walton, William Few, Arthur Fort, John Coleman, Benjamin Andrews, and William Peacock were selected as members of the executive council. Of this body Benjamin Andrews was chosen president. The books and papers of the late council of safety were, by resolution of the assembly, confided to the executive council, and thenceforth the council of safety ceased to exist.

Grievous was Gwinnett's disappointment. McIntosh did not hesitate to avow openly his gratification at the election of Treutlen. In fact, he publicly and in the presence of the executive council denounced Gwinnett as a scoundrel.[1] The quarrel between these gentlemen culminated on the 15th of May, when Gwinnett challenged McIntosh to mortal combat. They met the next morning at sunrise, within the present limits of the city of Savannah. Pistol shots were exchanged at the short distance of twelve feet. Both were wounded in the thigh; McIntosh dangerously, Gwinnett mortally. The former was confined to his couch for some time, and the latter, after lingering for twelve days, died of his hurt.

Gwinnett's death caused great excitement. Dr. Lyman Hall, one of his executors and a warm personal friend, and other gentlemen of influence, brought the matter to the notice of the legislature, and accused the judicial officers of a neglect of duty in not arresting McIntosh and binding him over to answer the charge of murder. The general, informed of these reflections, as soon as his wound would permit, surrendered himself to Judge Glen, entered into bonds for his appearance, was indicted, tried, and acquitted. Even this determination of the matter did not allay

[1] McCall's *History of Georgia*, vol. ii. p. 110. Savannah. 1816.



Lach.ⁿ M.ᶜ Intosh

the malevolent feelings of the Gwinnett party, who, incensed at the loss of their leader, used every exertion to impair the influence of McIntosh and to fetter his efforts in the public service. At the suggestion of his friends, Colonels George Walton and Henry Laurens, he consented to leave Georgia for the time being, and to repair to the headquarters of General Washington, for assignment to duty with the continental army. He was instructed to take command of the western districts of Virginia and Pennsylvania. He carried with him as his deputy adjutant-general his son, Captain Lachlan McIntosh, and as his brigade major his young friend and comrade, Captain John Berrien. Nearly two years elapsed before he returned to Georgia, and during his absence, while his heart was constantly with his State and people, he rendered signal service in the common cause.

The career of Button Gwinnett was brief but brilliant. An educated merchant of Bristol, England, he removed to Charlestown, South Carolina, whence, after a short residence, he came to Georgia. As early as 1765 he was engaged in mercantile pursuits in this province. Subsequently, converting his stock in trade into cash, he purchased the island of St. Catharine[1] from Thomas and Mary Bosomworth, and, having peopled it with negro slaves, there fixed his abode and turned his attention to agriculture. His residence was in distant view of the town of Sunbury, then the rival of Savannah in population and commercial importance. With Dr. Lyman Hall, the leading physician in the community and one of the earliest "Sons of Liberty," he contracted a strong personal and political friendship. A member of the Continental Congress, in 1776 he was one of the Georgia signers of the Declaration of Independence. A delegate to the constitutional convention which promulgated the constitution of February, 1777, it is believed that he had more to do than any one else with framing that important document. As the successor of Archibald Bulloch he attained the highest honors within the gift of his fellow citizens. Of his patriotism, love of liberty, and devotion to the cause of American freedom he gave proof most abundant. But he was ambitious, grasping of power, strong in his prejudices, intolerant of opposition, and violent in his hate. Rising like a meteor, he shot athwart the zenith of the young commonwealth, concentrating the gaze of all, and in a short moment was seen no more.

[1] This island, including a stock of horses, cattle, and hogs, some lumber, and a plantation-boat, was then purchased by Gwinnett at a cost of £5,250.

Within the compass of two years are his brilliant aspirations, triumphs, and reverses compressed. Inseparably associated is his name with the charter of American independence. Of the three members from Georgia whose names are affixed to that memorable document, two, Lyman Hall and Button Gwinnett, were from St. John's Parish and, we may add, from the town of Sunbury; for, although the latter then resided on St. Catharine Island, his home was within sight of that flourishing seaport, his public and private business was there transacted, he was constantly seen in its streets, was known and honored of its citizens, and in very truth constituted one of them. Two signers of the Declaration of Independence from one little town in St. John's Parish! and that town wholly obliterated from the face of that beautiful, lonely, and bermuda-covered bluff! It is in perpetuating acts and names like these that memory stays the engulfing waves of oblivion, and administers signal rebuke to "time which antiquates antiquities and hath an art to make dust of all things."

CHAPTER XIV.

Colonel Samuel Elbert in Command of the Continental Forces in Georgia. — Depreciation of the Paper Currency. — Difficulties experienced in procuring Enlistments. — Depredations along the Southern Frontier. — Drayton's Efforts to bring about a Consolidation of the States of South Carolina and Georgia. — Proclamation of Governor Treutlen. — Case of George McIntosh. — State Legislation. — Fortification at Sunbury. — John Houstoun elected Governor. — He is invested with almost Dictatorial Powers. — Scopholites.

Upon the departure of General McIntosh, Colonel Samuel Elbert succeeded to the command of the continental troops in Georgia. But little progress was made by recruiting officers in filling up the ranks of companies attached to the battalions authorized by the Continental Congress. The bounty and pay allowed by the general government for a whole year's service were not equal to the sums offered by militiamen for substitutes to take their places for only three months. Those disposed to enter the army preferred enlistment for a short term with the militia, where they could act pretty much as they pleased and remain most of the time near their homes, to being mustered into the regular service for a period of three years, when they would be subjected to the strict rules of discipline and find themselves liable to duty in distant fields.

The paper currency, too, which, for a little while, was accepted at par in defrayal of the expenses connected with the war, was now rapidly depreciating in value. Although congress and state legislatures subjected to prescribed penalties individuals who refused to receive it at par with gold and silver when offered in purchase of commodities exposed to sale, and denounced as enemies to the cause of freedom all those who attempted to lessen its value, the large volume put upon the country, the poverty of the public revenue, the inability of the general government and of the respective States to redeem in coin, and the impossibility of providing by taxation for the sure payment of these rapidly multiplying issues, begat a feeling of distrust in the public

mind, and soon demonstrated the visionary basis upon which such a circulating medium was founded.

Patriotic impulses are potent and may be relied upon. Privations in the cause of right and honor and country will be, for the while, endured by citizens conscious of their privileges and earnest in their preservation. But there is a limit to all voluntary exhibitions of devotion and self-sacrifice. History teaches that armies, the most enlightened and patriotic, must be properly fed, clothed, and paid, to insure contentment within and satisfaction at home. In the estimation of the soldier duty to country is supplemented by no less binding obligations to family. While surrendering his occupation and personal liberty in the fulfillment of the one, he may justly expect to be at least measurably assisted in discharging the other. Hence, in a general appeal to the arms-bearing population of any community for enlistment, the recruiting officer must be prepared to tender substantial inducements in addition to a mere invocation to a display of manhood and an exhibition of love of country. When the storm has been for some time raging, when men have learned the dangers and the disagreeablenesses of war, and when the prospect for an early conclusion of the struggle appears uncertain, many come to take a practical view of the situation and are not easily influenced by considerations which, at the outset, were recognized as most potent. As the war progressed the scarcity of provisions and the knowledge that the monthly pay was to be had only in a paper currency which was constantly and rapidly depreciating in its accepted value deterred many from enlisting in the continental battalions. The recruiting officers in Georgia were disappointed in their expectations.

The southern frontier being most exposed, the commanding officer directed that all recruits, as rapidly as they were enlisted, should be forwarded to the posts on the Alatamaha. Twenty of these, on their way to Fort Howe, while within two miles of their destination, were set upon by one hundred and fifty loyalists and Indians. The attack was made while the party was crossing a thick bay swamp. Only six of the men, and Lieutenants Brown and Anderson in command, escaped. Fourteen were slain. Advised of the disaster, Colonel Screven, collecting the southern militia and summoning Lieutenant-Colonel John McIntosh and his regulars from Darien, repaired to the scene of action. The dead lay unburied, scalped, their bodies ripped open, their intestines scattered about on the ground, and their

faces so mangled that they were in most instances incapable of recognition. The enemy having passed over the river at Reid's Bluff in their retreat upon St. Augustine were already beyond reach.

On the night of the 31st of July a party of Indians crossed the Ogeechee River near Morgan's Fort, rushed into the house of Samuel Delk, who was not at home, killed and scalped his wife and four children, and led his eldest daughter, a girl of fourteen, into miserable captivity.

On the 10th of August, 1777, some boats from a British armed vessel lying in St. Andrew's Sound landed on St. Simon's Island. Their crews captured and carried away Captain Arthur Carney, five citizens, several negroes, and as much household furniture as could be conveyed in the barges. Carney had been appointed to the captaincy of the fourth company in the first continental battalion of Georgia troops. After his capture, he espoused the royal cause, and proved himself not only an active Tory but a great cattle thief.[1]

Such was the warfare to which Georgia was subjected, and such the character of the enemy desolating her borders.

Late in 1776 the General Assembly of South Carolina adopted a resolution to the effect that a union between that State and Georgia would tend to promote their strength, wealth, and dignity, and insure mutual liberty, independence, and safety. Commissioners were sent to Savannah to treat of the matter, and the Honorable William Henry Drayton seems to have been the chairman, as he certainly was the spokesman, of the committee. Arriving in Savannah in January, 1777, Mr. Drayton addressed his arguments to various leading citizens. "I found," said he in a letter written to Humphrey Wells of Augusta, dated Snow Hill, South Carolina, June 8, 1777, in which he gives the full details of his mission, "that every gentleman in public office with whom I conversed was strongly against a union. However, I had the pleasure to find some gentlemen of fortune, though not in office or convention, who heartily approved the measure." He was still in Savannah when the convention assembled. At his earnest solicitation he was accorded an audience. For quite an hour he addressed that body, arguing that although Carolina and Georgia, originally one, were now under separate governments, nature, climate, soil, productions, and kindred interests all demanded that the union should be restored; that if they remained apart jealousies and rivalships would spring up to the prejudice

[1] McCall's *History of Georgia*, vol. i. pp. 131, 132. Savannah. 1811.

of internal improvements, common productions, and foreign commerce; dangerous disputes would arise respecting boundaries and the navigation of the Savannah River; and that the value and security of property would be seriously imperiled. A union established, all rivalries and dangers would cease; agriculture, internal trade, and foreign commerce would rapidly increase; the expenses of government would be lessened, and the stability of the consolidated commonwealths be confirmed. To Georgia especially would the suggested union prove most beneficial. Carolina planters would be encouraged to cross the river and fill the land with substantial improvements. Georgia currency, hitherto inferior in value, would be put on a par with that of Carolina. The Savannah River would be cleared of all obstructions, and the commerce of the town of Savannah be rapidly and vastly enhanced. While Georgia would lose the seat of government, her prosperity would be so essentially promoted that this trifling circumstance would be speedily forgotten. Should Georgia decline to accede to the proposition, the Carolinians, who possessed both intelligence and wealth, would speedily build a city opposite Savannah which, attracting to itself the commerce, both internal and foreign, of the region, would quickly work the ruin of that town. With these and similar arguments did Mr. Drayton endeavor to persuade the convention to sympathize in the views of the South Carolina legislature. The members heard him patiently, respectfully, but rejected the proffered union. President Gwinnett, Dr. Noble W. Jones, and all the leading spirits were radically opposed to the scheme on grounds both material and constitutional. The effort of South Carolina to swallow up Georgia signally miscarried.

Mortified at their failure, the Carolinians sought to compass indirectly what they had been unable to accomplish by political correspondence and diplomacy. Petitions and broadsides, prepared in Carolina, were freely distributed in Georgia, heaping odium upon Governor Treutlen and his council, magnifying existing grievances, creating dissatisfaction in the masses, and urging the people to take such action as would eventuate in the union of the two States as the surest means of self preservation and political existence. Perceiving the malign influence exerted and the unrest engendered by these inflammatory documents, and persuaded that their circulation was prejudicial to the welfare and peace of the State, the executive council, on the 14th of July, requested Governor Treutlen to issue a proclamation offering a reward for the apprehension of Mr. Drayton and of those

associated with him in the conduct of this unlawful project. Accordingly the governor, on the following day, thus responded to the wish of the council: —

"GEORGIA.

By his Honour JOHN ADAM TREUTLEN, ESQUIRE, *Captain-General, Governour, and Commander-in-Chief in and over the said State.*

A PROCLAMATION.

WHEREAS it hath been represented unto me, that WILLIAM HENRY DRAYTON, of the State of South Carolina, Esq., and divers other persons, whose names are yet unknown, are UNLAWFULLY endeavouring to POISON the minds of the good people of this State against the Government thereof, and for that purpose are, by letters, petitions, and otherwise, daily exciting animosities among the inhabitants, under the pretence of redressing imaginary grievances, which by the said WILLIAM HENRY DRAYTON it is said this State labours under, the better to effect, under such specious pretences, an union between the States of Georgia and South Carolina, all which are contrary to the Articles of Confederation, entered into, ratified, and confirmed by this State as a cement of union between the same and the other United and Independent States of America, and also against the resolution of the Convention of this State in that case made and entered into: THEREFORE, that such pernicious practices may be put an end to, and which, if not in due time prevented, may be of the most dangerous consequences, I HAVE, by and with the advice and consent of the Executive Council of this State, thought fit to issue this Proclamation, hereby offering a reward of ONE HUNDRED POUNDS, lawful money of the said State, to be paid to any person or persons who shall apprehend the said WILLIAM HENRY DRAYTON, or any other person or persons aiding and abetting him in such unlawful practices, upon his or their conviction: And I DO hereby strictly charge and require all magistrates and other persons to be vigilant and active in SUPPRESSING THE SAME, and to take all lawful ways and means for the discovering and apprehending of such offender or offenders, so that he or they may be brought to condign punishment.

Given under my Hand and Seal in the Council Chamber at Savannah, this fifteenth day of July, one thousand seven hundred and seventy-seven.

JOHN ADAM TREUTLEN.

By his Honour's Command,
JAMES WHITEFIELD, *Secretary.*

GOD SAVE THE CONGRESS."

To this proclamation Mr. Drayton, on the 1st of August, penned a defiant, scornful, and discourteous reply, in which he taunts the governor with injustice done to George McIntosh, and with a total disregard of the rights of the people over whom he was called to preside. Criticising the conduct of his excellency and of the executive council in the administration of public affairs, he adds: —

"I am inclined to think you are concealed Tories, or their tools, who have clambered up, or have been put into office in order to *burlesque* Government — and I never saw a more extravagant burlesque upon the subject than you exhibit — that the people might be sick of an American Administration, and strive to return under the British domination merely for the sake of endeavouring to procure something like law and order. I respect the people of Georgia; but, most *wise* rulers, kissing your hands, I cannot but laugh at some folks. Can you guess who they are?"

The laugh was hollow. The scheme and the animus of its supporters had been laid bare, and all hope of destroying the autonomy of Georgia was at an end.[1]

As allusion was made to the case of George McIntosh, and as the circumstances connected with his arrest, incarceration, and subsequent release attracted much comment, it may not be out of place to review them here. We present the facts as they have been handed down to us by Captain McCall.[2]

At the commencement of the contest between Great Britain and her American colonies, George McIntosh, a brother of General Lachlan McIntosh, a native of Savannah and a gentleman of considerable wealth, was residing and planting on Sapelo River in St. Andrew's Parish. So earnest was he in his support of the American cause against the encroachments of Parliament that he was chosen a member of the committee of safety of St. John's Parish. In May, 1776, William Panton — late a merchant in

[1] Of the antecedents of Governor Treutlen but little is known, so far as our inquiry extends. Among the early advocates of liberty he was, in Georgia, recognized as a trusted and influential leader. During that troublous period when South Carolina attempted to extend dominion over her younger sister, he battled bravely for the integrity of his State. The tradition lives among his descendants that he was, in Orangeburg, South Carolina, inhumanly murdered by Tories. His grave is unmarked, and Georgia, in naming her counties, has neglected to perpetuate his virtuous and patriotic memory.

[2] *History of Georgia*, vol. ii. p. 112. Savannah. 1816. See also *The Case of George McIntosh, Esquire, a Member of the Late Council*, etc. "Audi alteram Partem." Pp. 29. Printed in the year MDCCLXXVII.

Savannah, but then chiefly engaged at an Indian trading post which he had established on St. John's River, in East Florida — brought into Sunbury a quantity of goods such as cloths, osnaburgs, salt, sugar, etc. Finding that these commodities were in great demand, he solicited and obtained permission from the committee of safety to sell them and to purchase rice in return, upon condition that he would give bond and security, in accordance with the resolution of the Continental Congress, that the rice and other produce should not be landed at any port subject to the dominion of England. Mr. George McIntosh, Sir Patrick Houstoun, and Mr. George Bailie had purchased goods of Panton to a considerable amount.

Having previously received from the committee of safety a license to ship a quantity of rice, of which they were joint owners, to Surinam, with the understanding that the provisions of the non-intercourse acts should not be violated, they gave to Panton, in payment for the commodities purchased of him, bills of exchange on their consignee in Surinam. Panton also became interested in some of the rice. Regular clearances were obtained for the vessels conveying the rice, from the officer of customs in the port of Sunbury, and they set out for Surinam. When in the mouth of Sapelo River, they were boarded by William Panton who claimed that the cargoes belonged to him and ordered that the destination of the vessels should be changed. The brig was directed to proceed to the West Indies, the schooner to St. Augustine, and the sloop to St. John River. The masters of these vessels subsequently deposed that, although these orders were in contravention of the instructions of the shippers, on being informed that Panton held bills of exchange drawn against the proceeds of the cargoes, they finally consented to obey his directions. A letter written by Governor Tonyn of East Florida, and addressed to Lord George Germain, was intercepted at sea and transmitted to the president and council of Georgia. In it he suggests that, in the recent procurement of rice from Georgia, Mr. Panton "had been greatly assisted by Mr. George McIntosh who is compelled to a tacit acquiescence with the distempered times." "I am informed," continued the writer, "that his principles are a loyal attachment to the king and constitution. He would, my lord, be in a dangerous situation was this known."

On the 8th of January, 1777, McIntosh was seized by order of the president and council and lodged in the common prison. Gwinnett was then president, and gladly availed himself of the

opportunity thus afforded to mortify General Lachlan McIntosh and vent his wrath against him upon his brother. For some time the power of the judiciary to intervene by *habeas corpus* was questioned by the executive, who, alleging that the offense was against the laws of the Confederated States, claimed that the judge of a State could in no manner take cognizance of it.

When interrogated by the friends of McIntosh, Panton confessed that George McIntosh was a man of honor, that he believed him to be "sincerely attached to the rights and liberties of America," and that he was not chargeable with the deviation in the voyages of the vessels. Many depositions were taken before Judge Glen, in behalf of McIntosh, to invalidate the suggestions contained in Governor Tonyn's letter to Lord George Germain. Bailie and Houstoun were both "placed upon the bill of confiscation and banishment," and McIntosh was "rigorously prosecuted." While he was in confinement awaiting a trial, his property was dissipated. When admitted to bail he set out to lay his case before the Continental Congress. In passing through North Carolina he was pursued and arrested by a party, under the command of Captain Nash, who had been directed to overtake and conduct him as a prisoner to the Continental Congress. He did not arrive at the seat of government until the 9th of October. Upon submitting his memorial, fortified by many affidavits and commendatory letters from Jonathan Bryan, John Wereat, Henry Laurens, and other prominent individuals who believed in his innocence and regarded his prosecution as inspired and urged by the enemies of his brother, General Lachlan McIntosh, congress appointed Messrs. Adams, Duane, and Williams to examine into the matter and report their conclusions. In the execution of the duty thus devolved upon them the committee, on the ensuing day, reported that after investigation they were satisfied no sufficient cause had been shown to warrant the detention of Mr. McIntosh. He was thereupon discharged, and so the matter ended. Notwithstanding his harsh treatment, his losses, and the suspicions set afloat impugning his loyalty to the American cause, McIntosh sought only to purge himself of the calumnies which had been heaped upon him, and invoked neither protection nor redress under the shadow of the British flag.

In consequence of the constant employment of the militia, provisions, especially bread-stuffs, became quite scarce in Georgia, so much so that Governor Treutlen found it necessary to issue

a proclamation forbidding the exportation of corn, rice, flour, and other commodities requisite for the subsistence of the inhabitants and the support of the troops in the field. So rapidly were the state bills of credit depreciating on the market that he deemed it proper to issue another proclamation threatening penalties upon all who should be found undervaluing them. As, however, no provision had been made for the ultimate redemption of these promises, they, day by day, were held in less esteem by the public.

An act of the assembly was published proclaiming the binding force of such statutes passed by royal legislatures as were not in conflict with the provisions of the constitution, or at variance with the subsequent state legislation. A land office was opened and inducements were offered to all who would come in and settle upon vacant territory. It was resolved to raise two battalions of minutemen for the defense of the frontier. The term of enlistment was fixed at two years, and large bounties were offered, in the name of the State, to both officers and men. Previous to placing these battalions in the field, the protection of the western division of the State had been confided to Colonel Marbury, commanding a regiment of dragoons. Subsequently this force was distributed south of the Alatamaha to guard cattle and to repel the oft-repeated incursions of the Tory Colonel McGirth.

For the immediate protection of Sunbury a fort was built just below the town upon the point where the high ground ended and the wide, impracticable marshes between the main and Bermuda Island commenced.

A small defensive work may have existed here at an earlier date. The Record Book of Midway Church discloses the fact that in 1756 a letter was received from the Honorable Jonathan Bryan, one of his majesty's council for the colony, conveying the intelligence that the Indians were much incensed at several of their people having been killed by some settlers on the Great Ogeechee River in a dispute about cattle, and cautioning the Midway Congregation, with expedition, to construct a fort for their protection. "People," continues the journal, "are very much alarmed with the news, and consultations were immediately had about the *building and place for a fort, and it was determined by a majority that it should be at Captain Mark Carr's, low down, and upon the river near the sound, at about seven or eight miles distance from the nearest of the settlement of the*

Society, which accordingly was begun on the 20th September, 1756."[1]

On the 11th of July following, apprehending an attack from a French privateer, the Midway people were summoned to Sunbury where they "raised a couple of batteries and made carriages for eight small cannon which were at the place." These were probably nothing more than field-works thrown up on the bluff just in front of the town. It is to these little forts that Governor Ellis alluded when, upon his second tour of inspection through the southern portion of the province, he "was pleased to observe that the inhabitants of the Midway District had enclosed their church within a defence, *and had erected a battery of eight guns at Sunbury in a position to command the river.*"

It will be remembered that when, in July, 1776, the Continental Congress resolved to raise two battalions to serve in Georgia and authorized the construction of four galleys for the defense of her sea-coast provision was made for the enlistment of two artillery companies, of fifty men each, to garrison the two forts which were to be erected, one at Savannah and the other at Sunbury.

It may, we presume, be safely asserted that the inclosed earthwork just south of Sunbury was laid out and builded about the period of the commencement of the Revolutionary War. If any fort existed there prior to that time it was then so modified and enlarged as to completely lose its identity.

The names of those who were specially charged with the construction of this fort have not been perpetuated, but it lives in tradition that the planters of Bermuda Island and of the Midway District and the citizens of Sunbury contributed mainly to its erection. It was built chiefly by slave labor, and was armed with such cannon as could be procured on the spot or obtained elsewhere.[2] That its armament was by no means inconsiderable will be conceded when it is remembered that twenty-five pieces of ordnance were surrendered by Major Lane when he yielded up this work. These guns, however, were small, consisting of 4, 6, 9, 12, and 18 pounders, with perhaps one or two 24-pounders. It was called by the Americans FORT MORRIS;[3] but, upon its

[1] See White's *Historical Collections of Georgia*, pp. 517, 518. New York. 1855.

[2] It is not improbable that some of these guns may have been brought from Frederica; for the Council of Safety had ordered all warlike stores at that place to be secured.

[3] In compliment to Captain Morris, commanding a company of continental artillery raised for coast defense. By this company was the fort garrisoned upon its completion.

capture by Prevost, its name was by him changed to FORT GEORGE.

At the inception of the Revolutionary War the coast defenses of Georgia were in a most dilapidated condition. All her forts were in ruins, or nearly so. On the 20th of September, 1773, Sir James Wright, who makes no mention of any defensive work at Sunbury, reports Fort George on Cockspur Island, which was built in 1762 of mud walls faced with palmetto logs with a caponiere inside to serve for officers' apartments, as "almost in ruins, and garrisoned only by an officer and three men just to make signals, etc." Fort Halifax, within the town of Savannah, constructed in 1759 and 1760, and made of plank filled in with earth, with the exception of two of its caponieres, was totally down and unfit for use. Fort Frederick, at Frederica, erected by General Oglethorpe when his regiment was stationed there, had been without a garrison for upwards of eight years, and although some of its tabby walls remained the entire structure was fast passing into decay. Fort Augusta, in the town of Augusta, made of three-inch plank, had been neglected since 1767 and was rotten in every part. Fort Barrington on the Alatamaha River was in like condition. Of the fort at New Ebenezer, of Fort William on the southern extremity of Cumberland Island, of Fort Argyle, and of the other minor defenses erected in the early days of the colony scarce a vestige remained.

Located some three hundred and fifty yards due south of Sunbury, and occupying the bluff where it first confronts Midway River as, trending inward from the sound, it bends to the north, Fort Morris was intended to cover not only the direct water approach to the town, but also the back river by means of which that place might be passed and taken in reverse. Its position was well chosen for defensive purposes. To the south stretched a wide-spread and impracticable marsh permeated by Pole-haul and Dickerson creeks, two tributaries of Midway River, whose mouths were commanded by the guns of the fort. This marsh also extended in front of the work, constituting a narrow and yet substantial protection against landing parties, and gradually contracting as it approached the southern boundary of Sunbury. This fortification was an inclosed earthwork, substantially constructed. Its walls embraced a parade about an acre in extent. The eastern face, fronting the river, was two hundred and seventy five feet in length. Here the heaviest guns were mounted. The

northern and southern faces were respectively one hundred and ninety-one and one hundred and forty feet in length, while the curtain, looking to the west, was two hundred and forty-one feet long. Although quadrangular, the work was somewhat irregular in shape. From the southern face and the curtain no guns could be brought to bear upon the river. Those there mounted served only for defense against a land attack. The armament of the northern face could be opposed to ships, which succeeded in passing the fort, until they ascended the river so far as to get beyond range. It also commanded the town and the intervening space. The guns were mounted *en barbette*, without traverses. Seven embrasures may still be seen, each about five feet wide. The parapet, ten feet thick, rises six feet above the parade of the fort, and its superior slope is about twenty-five feet above the level of the river at high tide. Surrounding the work is a moat at present ten feet deep, ten feet wide at the bottom, and twice that width at the top. Near the middle of the curtain may be seen traces of a sally-port or gateway, fifteen feet wide. Such is the appearance of this abandoned work as ascertained by recent survey. Completely overgrown by cedars, myrtles, and vines, its presence would not be suspected, even at a short remove, by those unacquainted with the locality. Two iron cannon are now lying half buried in the loose soil of the parade, and a third will be found in the old field about midway between the fort and the site of the town. During the recent war between the States, two 6-pounder guns were removed from this fort and carried to Riceboro. No use, however, was made of them. Two more, of similar calibre, of iron, and very heavily reinforced at the breech, were taken by Captain C. A. L. Lamar, whose company was then stationed at Sunbury, and temporarily mounted on the bluff to serve as signal guns. Notwithstanding their age and the exposure to which they had so long been subjected, these pieces were in such excellent condition that they attracted the notice of the ordnance department, and were soon transported to Savannah. There they were cleaned, mounted upon siege carriages, and assigned to Fort Bartow, where they remained, constituting a part of the armament of that work, until upon the evacuation of Savannah and its dependent forts by the Confederate forces in December, 1864, they passed into the hands of the Federal army.

Sunbury was occupied by the Revolutionists as a military post, and its fort garrisoned at a very early period in the colonial

struggle for independence.[1] Fort Morris was the most important military work constructed by Georgians during the war of the Revolution.

The Assembly convened in Savannah in January, 1778, and on the 10th of that month elected John Houstoun governor. A son of Sir Patrick Houstoun, a gentleman of liberal education and strong character, he was among the first in the colony to counsel resistance to British aggressions. Twice had he represented Georgia in the Continental Congress; and but for the defection of the Reverend Mr. Zubly, which necessitated his presence in Georgia at the trying moment, his name would have been affixed to the Declaration of Independence. He was a member of the Executive Council when he was called to the gubernatorial chair. The other state offices within the gift of the House of Assembly were thus filled: John Glen was made chief justice; William Stephens, attorney-general; William O'Bryan and Nehemiah Wade, joint treasurers; James Maxwell, secretary; and Thomas Chisholm, surveyor-general. James Jones was appointed collector for the port of Savannah, and David Reese for that of Sunbury. Ambrose Wright was commissioned as Commissary General of the State and Superintendent of Public Buildings in the County of Chatham.

At a meeting of the executive council, held on the 16th of April to consider the attitude of affairs both civil and military, an extraordinary political act was committed. It was nothing less than investing the governor with almost dictatorial powers. In a preamble and resolutions the executive council declared the situation of Georgia so truly alarming that only the most spirited

[1] The following orders were issued by Colonel S. Elbert for the instruction of the artillerists stationed at Sunbury: — See MS. order book of Colonel Elbert.

"Headquarters Savannah, *5th Dec'r*, 1777.

"*Orders to Captain Defatt of the Artillery.*

"You are to proceed immediately to the Town of Sunbury, in this State, where are a corps of Continental Artillery posted, which you are constantly to be employed in teaching the perfect use of artillery, particularly in the Field. Both Officers and Men are hereby strictly ordered to attend on you for the above purpose, at such times and in such places as you may direct; and the Commanding Officer of the Troops in that place, on your shewing him these Orders, will furnish Men to do the necessary duty in the Town & Fort; so that there will be nothing to prevent Captain Morris and his Company from being perfected in the Business for which they were raised. Such pieces of Artillery as you approve of, have mounted on Field-Carriages; and for this purpose you are empowered to employ the necessary Workmen, and procure Materials. Your drafts on me for every necessary Expense, accompanying the Vouchers, will be duly honored.

"I am, Sir, your most Obdt. Servt.,

S. Elbert, *Col. Commd'g.*"

and vigorous exertions could suffice to defeat the machinations of the enemy, and that "in such times of danger it might happen that everything would depend upon instantaneous measures being embraced, which could not be done should the governor wait for calling a council." Having then recorded their favorable opinion of the constitutionality of the measure they proposed to adopt, the members proceeded to sanction the following unusual and dangerous policy: "The Council therefore, impressed with a sense of the calamitous situation of this State, and apprehending it as an unavoidable expedient, do request that his honor, the Governor, will be pleased to take upon himself to act in such manner as to him shall seem most eligible; and to exercise all the executive powers of government appertaining to the militia or the defence of the State against the present danger which threatens it, or in annoyance of the enemy, independent of the Executive Council and without calling, consulting, or advising with them unless when and where he shall find it convenient, and shall choose to do so. And they pledge themselves to support and uphold him in so doing, and to adopt as their own the measures which he shall embrace; and that this shall continue during the present emergency, or until the honorable House of Assembly shall make an order or give their opinion to the contrary."

To this remarkable exhibition of personal confidence Governor Houstoun replied: "He was exceedingly unwilling to do any act without the approbation of the Council: but that, as he found by experience, during the present alarm, the impossibility of at all times getting them together when too much, perhaps, depended upon a minute; and further, that as the Council had given it as their opinion that the proceeding was justifiable under the Constitution, and as the meeting of the Assembly was so near at hand and alarms and dangers seemed to thicken on all sides, he agreed to act in the manner the Council requested, during the present emergency, or until the honorable House of Assembly shall make an order or give their opinion to the contrary."

While such a delegation of authority may not have been prohibited in terms by the constitution of 1777, it is very questionable whether the framers of that instrument ever contemplated such a cession on the part of the members of the executive council who were constituted the special advisers and coadjutors of the governor in the exercise of the executive powers of government.

The threatening aspect of affairs on the southern frontier and the general alarm pervading the State caused this abnormal action on the part of the executive council.

Early in April, 1778, a band of loyalists from the interior of South Carolina, led by Colonel Scophol,[1] assembled near Ninety-Six and, moving thence, crossed the Savannah River about forty miles below Augusta. Here they were joined by a party from Georgia, entertaining like sentiments and commanded by Colonel Thomas. Seizing some boats conveying corn and flour from Augusta to Savannah, they supplied themselves with such provisions as they needed, burning the rest and sinking the boats.

Numbering between five and six hundred, these outlaws marched rapidly for Florida plundering and destroying everything which came in their way as they passed through Georgia. The sparsely populated districts were incapable of offering resistance. Reaching Florida in safety, these Scopholites joined the enemy and strengthened their purposes for an early and a formidable invasion of Georgia.[2]

[1] He is described by General Moultrie as an illiterate, stupid, noisy blockhead. (*Memoirs of the Revolution*, vol. i. p. 203, note. New York. 1802.) His name also appears as Scovil, and sometimes as Scophal, and his adherents were denominated *Scopholites, Scophalites*, or *Scovilites*.

[2] See McCall's *History of Georgia*, vol. ii. p. 135. Savannah. 1816. Moultrie's *Memoirs*, etc., vol. i. p. 203. New York. 1802.

CHAPTER XV.

GOVERNOR HOUSTOUN AND GENERAL HOWE PLAN AN EXPEDITION AGAINST EAST FLORIDA. — COLONEL ELBERT CAPTURES THE HINCHINBROOKE. — MCGIRTH'S RAID. — CONCENTRATION OF FORCES AT FORT HOWE. — DISPOSITION OF THE ENEMY. — LETTERS OF COLONEL C. C. PINCKNEY, GENERAL MOULTRIE, AND GENERAL HOWE. — GOVERNOR HOUSTOUN AND GENERAL HOWE AT VARIANCE. — AFFAIR AT ALLIGATOR CREEK. — COLONEL CLARKE WOUNDED. — JEALOUSY OF THE RESPECTIVE COMMANDING OFFICERS. — HOWE'S INEFFICIENCY. — A COUNCIL OF WAR, HELD AT FORT TONYN, DETERMINES TO ABANDON THE EXPEDITION. — FAREWELL ORDER OF GENERAL HOWE. — THE CONDUCT OF THE EXPEDITION CRITICISED.

EAST FLORIDA, with its king's forces, Scovilites, outlaws, and subsidized Indians, was a thorn in the side of Georgia. St. Augustine, as the military hive whence these predatory bands swarmed to the annoyance of the dwellers between the Alatamaha and the St. Mary rivers, was an object of constant disquietude and hatred. Its destruction was a favorite scheme with the Georgia authorities. What General Lee and Governor Gwinnett had failed to accomplish Governor Houston was ambitious to achieve. Invested by the executive council with powers little less than dictatorial, he desired to inaugurate and conduct an expedition which would render his administration famous, and minister to the security of the State over which he presided. Since their repulse before the walls of Fort Moultrie the British forces, save in a desultory manner, and then only along the southern frontier, had not been directed against either Georgia or Carolina. Strengthened by a recent accession of Tories from the heart of South Carolina, the Floridians were preparing for another and a formidable incursion into Georgia. Of this fact Governor Houstoun was informed, and his desire was not only to push back this hostile column, but to follow up his advantage even to the investment and occupation of St. Augustine.

Advices of the hostile intentions of the enemy were confirmed by James Mercer, who, sailing from St. Augustine on the 17th of April, reached Savannah four days afterwards. He deposed before Attorney-General William Stephens that General Prevost had set out with a detachment for the Alatamaha; that a body

of Indians from the Creek nation was on the march to join him there; that three hundred loyalists had arrived at St. Mary's, under the command of Colonel Brown, who expected to be reinforced by seven hundred more; and that the object of these combined forces was the conquest of Georgia.[1]

Upon a conference with General Robert Howe, who was then in command of the Southern Department with his headquarters at Savannah, it was resolved to concentrate the military strength of Georgia for repelling the threatened attack and for the subsequent invasion of Florida. Of the militia of the State Governor Houstoun proposed to take and retain personal command. When summoned to the field they did not aggregate more than three hundred and fifty men, many of whom were poorly armed and badly disciplined. The continental forces within the limits of the State numbered only about five hundred and fifty. These were supplemented by two hundred and fifty continental infantry and thirty artillerists, with two field-pieces, drawn from South Carolina and commanded by Colonel Charles Cotesworth Pinckney. The Carolina militia, under Colonels Bull and Williamson, were ordered to rendezvous at Purrysburg, on the Savannah River. Fort Howe, on the Alatamaha, was designated as the point of concentration.

On the 6th of April Colonel Samuel Elbert, with all the men of the third and fourth battalions of continental infantry fit for duty, took up the line of march from Savannah for Fort Howe. Thirty-six rounds of ammunition, three spare flints, and two days' rations of cooked provisions were carried by each soldier. A reserve of "one hundred rounds of powder and ball to the man" accompanied the command.

At Midway Meeting-House, on the 9th, Captain Melvin was detached with twenty-four men to proceed to Sunbury. There he was to embark on board the galleys and advance to the Alatamaha River where he was ordered to take charge of a large flat and boat, filled with army stores, and conduct them to Fort Howe. On the 14th, Colonel Elbert reached that post with his command.

The next day, learning that the enemy's vessels were lying at Frederica, he detailed three hundred men of his command with fifty rounds of ammunition, six days' provisions, and no baggage except blankets, to proceed to Darien and there, going on board the galleys, to attempt their capture. The destination

[1] See McCall's *History of Georgia*, vol. ii. p. 137. Savannah. 1816.

of the expedition, led by the colonel in person, was Pike's Bluff, about a mile and a half distant from Frederica.[1] What subsequently transpired in connection with this affair had best be told in the language of Colonel Elbert, who, in a letter to General Howe, acquaints us with the following interesting details: —

"FREDERICA, *April 19th*, 1778.

"DEAR GENERAL, — I have the happiness to inform you that about 10 o'clock this forenoon, the brigantine Hinchinbrooke, the sloop Rebecca, and a prize brig, all struck the British tyrant's colors and surrendered to the American arms.

"Having received intelligence that the above vessels were at this place, I put about three hundred men, by detachment from the troops under my command at Fort Howe, on board the three galleys, the Washington, Captain Hardy, the Lee, Captain Braddock, and the Bulloch, Captain Hutcher; and a detachment of artillery with two field pieces, under Captain Young, I put on board a boat. With this little army we embarked at Darien, and last evening effected a landing at a bluff about a mile below the town, leaving Colonel White on board the Lee, Captain Melvin on board the Washington, and Lieutenant Petty on board the Bulloch, each with a sufficient party of troops. Immediately on landing I dispatched Lieutenant-Colonel Ray and Major Roberts, with about one hundred men, who marched directly up to the town and made prisoners three marines and two sailors belonging to the Hinchinbrooke.

"It being late, the galleys did not engage until this morning. You must imagine what my feelings were to see our three little men-of-war going on to the attack of these three vessels, who have spread terror on our coast, and who were drawn up in order of battle; but the weight of our metal soon damped the courage of these heroes, who soon took to their boats; and as many as could, abandoned the vessel with everything on board, of which we immediately took possession. What is extraordinary, we have not one man hurt. Captain Ellis, of the Hinchinbrooke, is drowned, and Captain Mowbray, of the Rebecca, made his escape. As soon as I see Colonel White, who has not yet come to us with his prizes, I shall consult with him, the three other officers, and the commanding officers of the galleys, on the expediency of attacking the Galatea now lying at Jekyll."

The success attending this adventure emboldened Colonel

[1] See MS. order book of General Elbert.

Elbert to attempt the capture of the Galatea, anchored at the north end of Jekyll Island. For this purpose he manned the Hinchinbrooke and the sloop. Pending his preparations, the Galatea took counsel of her fears and departed. This gallant exploit inspired the troops and was hailed by General Howe as a good omen of the success which would crown his demonstration against Florida.

On board the Hinchinbrooke were found three hundred suits of uniform clothing intended for the men of Colonel Pinckney's command. The Hatter, freighted with clothing for the continental troops in the Southern Department, had been captured off Charlestown harbor by a British privateer, and these suits formed a portion of her cargo. From the prisoners taken Colonel Elbert learned that General Prevost's objective point was Sunbury, which he confidently expected to capture, and that the military suits on board the Hinchinbrooke were intended for Brown's regiment of rangers.

While the detachments were rendezvousing at Fort Howe Colonel McGirth, with a party of loyalists, penetrated as far as the Midway settlement. Being there opposed and learning of the concentration of the continental troops on the Alatamaha, he rapidly retreated to the St. Mary River.[1]

Informed of the movements of the Americans, General Prevost paused in his advance and busied himself with repairing certain defenses on the rivers St. Mary and St. John, with mounting cannon at Fort Tonyn, and in maturing plans for the protection of the province of East Florida.

On the 10th of May the first, third, and sixth continental battalions from South Carolina, on duty at Fort Howe, were formed into a brigade and placed under the command of Colonel C. C. Pinckney. The artillery from Carolina and Georgia were associated under Major Roman. Colonel Elbert acted as brigadier-general and announced John Jones, Esqr., as his aid-de-camp with the rank of major. John Hamilton, Esqr., was appointed brigade major to Colonel Pinckney.[2]

General Howe did not reach Fort Howe until the 20th of May.

The following letter from Colonel Pinckney to General Moultrie familiarizes us with the situation of affairs as then understood : —

[1] McCall's *History of Georgia*, vol. ii. p. 140. Savannah. 1816.

[2] See MS. order book of General Elbert.

"Camp at Fort Howe on Alatamaha, *May 24th*, 1778.

"Dear General, — Here we are, still detained by the confounded delay of the South Carolina galley and provision schooner who are not yet come round to this river, and the reasonable and candid gentry of this State are throwing a thousand reflections on the General and the army for not marching to attack the enemy and storm lines without provisions and without ammunition. The whole army, except a very small garrison to take care of our sick and secure our retreat, will however march from hence to Reid's Bluff, three miles lower down and on the other side of the river, to-morrow afternoon, or next day at farthest; and as by that time our ammunition and provision will have come round to this river, we shall proceed with all possible expedition for St. Mary's where we shall have some amusement by the attack of Fort Tonyn. Notwithstanding any reflections which may be cast on the propriety of the present expedition at this season, it is now incontrovertible that the movements in Carolina, the capture of the Hinchinbrook and the other vessels, and the proposed expedition have proved the salvation of the State of Georgia. However, I cannot help lamenting to you (and I owe it to candor and our friendship) that you have been much too parsimonious in your fitting us out for this expedition. What can be more cruel than crowding eight, ten, and twelve men into one tent, or oblige those who cannot get in to sleep in the heavy dews? What is more inconvenient than to have only one camp kettle to ten, twelve, or fifteen men? and in this hot climate to have one small canteen to six or eight men? We think no expence too great to procure men, but we do not think, after we have got them, that we ought to go to the expence of preserving their health.

"Having thus freely given you my sentiments concerning the articles we are in want of, I own I could wish, and the General requested me to desire you to send round in a boat, or small schooner, 500 canteens, 100 camp kettles, and 35 or 40 tents. I am sure they cannot be better employed, even if the State should lose them all. But I apprehend that cannot be the case, as they ought to be a Continental charge.

"There has been a number of desertions from White's battalion of British deserters. I enclose you a plan of this curious fort and encampment. It is badly planned and wretchedly constructed.

"By intelligence from St Augustine the enemy's force is as follows: 300 Regulars at Fort Tonyn, on St Mary's: 60 at St

John's: 320 at St Augustine: 80 to the southward of St Augustine, with some Florida Rangers, a few Indians, and some Carolina Tories. Nothing could be more fortunate than such a division of their force.

"I am this moment informed that the Governor of this State has ordered from us to the militia two hundred barrels of rice. He likewise ordered the galleys 30 miles higher up the river than this place, when, on account of the shallowness of the water, they cannot come within 10 miles as high up as we now are. Excellent generalship! If you send a boat, the General would mean that the boat should come to Sunbury where they will receive orders. We are very badly supplied with medicines. These articles not being sent will not prevent our going on, but it will occasion the sickness of many, and render us less useful than we should otherwise be."[1]

In a communication addressed to the Honorable Henry Laurens, president of congress, dated Charlestown, June 5, 1778, General Moultrie says: "I yesterday received a letter from General Howe, dated Fort Howe, Alatamaha, May 23d. He does not inform me what number of men he has with him. We have sent him 600 Continentals from this State, and Col Williamson is gone from Ninety Six with 800 Militia, and there are between 6 and 700 Continental Troops belonging to Georgia, and some Militia. With these he intends to proceed to St Mary's to dislodge the enemy from a strong post they have established there. He says it is absolutely necessary or Georgia may as well be given up."

The army moved from Fort Howe on the 27th of May and encamped at Reid's Bluff. His further purposes are thus disclosed by General Howe in a communication to General Moultrie dated Camp at Reid's Bluff, June 12, 1778: —

"Dear General, — I have just a moment to inform you I am setting off instantly upon my march to St Mary's, where the enemy seem to expect us, and where I had long since been had not ten thousand disappointments arisen, a few of them from accident, but more from the operations of this State, happened to prevent and detain me. I have been waiting several weeks for the Militia, which were to have proceeded rapidly, but are not yet arrived, except 400 that are encamped about 4 miles in my rear waiting to be joined by the Governor, who is behind, as we are informed, with a large body: but from him I have

[1] Moultrie's *Memoirs*, etc., vol. i. p. 212. New York. 1802.

not directly heard for a long time, though I have written to him often upon very important subjects. He has, I believe, exerted himself to spirit up the people, and I fancy has been greatly perplexed. I wished to see him before I moved, but I fear I shall not, unless he comes within half an hour. The brigade under Elbert I advanced to St Illa to take possession of the river, and, by works thrown up upon both sides, to facilitate the advance or cover the retreat of the army, either of which may be requisite as soon as I join him which will be (if nothing happens more than I expect) the next day after tomorrow. I shall proceed to St Mary's where we shall meet Commodore Bowen with the fleet at an appointed place, and if the enemy favor us so much as to make face, we shall endeavor to treat them with the attention they deserve and we so ardently wish to bestow." [1]

On the 22d of June General Moultrie sent an express to General Howe informing him that Captains Bachop and Osborne, who had sailed from St. Augustine on the 12th, had been captured, with their sloops, by a Connecticut vessel of eighteen guns, and brought into Charlestown. From them he learned that the enemy, to the number of twelve hundred, had marched out of St. Augustine to oppose the advance of the Americans, and that they were accompanied by a detachment of Creek Indians. Two galleys, with 24-pounder guns and other heavy cannon on board, had been sent to protect the entrance into the St. John River. John Glass, a deserter from the first regiment, communicated the additional intelligence that the enemy's force consisted of 800 regulars, 100 men under Colonel Brown, 150 militia, 300 Scopholites, and Indians variously estimated at from 95 to 200.

"This force," continues the general, "with two field pieces is to dispute your passage over St. John's river, and perhaps meet you sooner. I would therefore humbly recommend the keeping of your little army together, and not to move them by brigades or divisions, as it may be of dangerous consequences in marching through such a country as you are now in. . . . I was told yesterday that Williamson with his militia was not above 9 miles from Savannah, and that the Governor with his Georgians was about Sunbury. If this be the case, for God's sake, when will you all join? If you still continue moving from each other, nothing but Augustine castle can bring you up.

[1] Moultrie's *Memoirs*, vol. i. p. 223. New York. 1802.

Would it not be best to halt the front, and let them secure themselves and wait till they all come up, then you may go on slow and sure."

He further notifies General Howe that the inhabitants of St. Augustine were greatly alarmed at the prospect of an attack, and were hastily transferring their valuables on shipboard; that the outer line of defense for the protection of the town was entirely out of repair, and the interior line quite feeble; that only a few pieces of cannon were mounted at the gate; that negroes were being pressed to work upon the fortifications; that all detachments had been called in from the river St. Mary; that the castle was defended by walls twenty-five feet high upon which were mounted one hundred and ten guns and two mortars; that although the garrison of the castle was well supplied with provisions, the population of the town was in want; that there was no war vessel in the harbor of St. Augustine; and that the best method of approach was by the Musquito road, thus taking the town in reverse.

Neither at St. Mary nor at Fort Tonyn did General Howe meet with any resistance from the enemy who, withdrawing his forces into the interior of Florida, was covering the approaches to St. Augustine. Delays, disagreements, disappointments, and illness were sorely demoralizing the army and dissipating all the sanguine hopes which had been formed at the inception of the campaign.

In this sad strain does General Howe unburthen himself to General Moultrie: —

"Fort Tonyn, *5th July*, 1778.

"Dear General, — I have been waiting for the galley first, and, after her arrival, a tedious while for the Militia of this State and for the long expected coming of Col Williamson and our countrymen with him. In short, if I am ever again to depend upon operations I have no right to guide, and men I have no right to command, I shall deem it then as now I do, one of the most unfortunate accidents of my life. Had we been able to move on at once, and those I expected would have been foremost had only been as ready as we were, a blow might have been given our enemies which would have put it out of their power to have disturbed us, at least not hastily, and perhaps have been attended with consequences more important than the most sanguine could have expected. But delayed beyond all possible supposition, and embarrassed, disappointed, perplexed, and distressed beyond

expression, the utmost we can now achieve will be but a poor compensation for the trouble and fatigue we have undergone, excepting we may be allowed to suppose (what I truly think has been effected) that the movements we have made have drove back the enemy and prevented an impending invasion of the State of Georgia which would otherwise inevitably have overwhelmed it, and also a dangerous defection of the people of both States. This good, I am persuaded, has resulted from it, and this is our consolation.

"The enemy were 2 or 3 days since at Alligator Creek, about 14 miles from this place. Their forces, by all accounts, are at least equal either to the Governor's troops or mine, and we are on contrary sides of the river and not within 8 miles of each other. Ask me not how this happened, but rest assured that it has not been my fault. I believe, however, that the Governor will encamp near me tonight, and if the enemy are still where they were, which I hope to know tonight or tomorrow morning, we shall probably beat up their quarters."

To dislodge the enemy from their position on Alligator Creek, General Howe ordered forward a detachment of three hundred men with instructions to reconnoitre, and to attack the foe if not in too strong force or securely fortified. The camp of the enemy proved to be defended by an intrenchment impeded in front by logs and brushwood. It was believed at first that it might be successfully assailed, and Colonel Elijah Clarke, with a detachment of mounted men, was ordered to penetrate at what appeared to be the weakest point and throw the camp into confusion. Such impression having been created, the main body was to advance rapidly in front and storm the works. Although his detachment acted with great gallantry, Colonel Clarke found it impossible to execute the movement. Entangled among the outlying logs and brushes, his horses with great difficulty forced their way through. Arrived at the ditch it was so wide that the animals could not leap over it, and so deep that they could not be ridden through. In this dilemma men and horses were saluted with the fire of the enemy and by loud huzzas before which they retired in confusion. In this assault three of Clarke's troopers were killed and nine wounded. The colonel himself was shot through the thigh and narrowly escaped falling into the hands of the enemy. This preliminary movement having failed of the anticipated results, no attack was attempted on the part of the main body. Finding that the enemy could not be dis-

lodged, and reinforcements appearing, the Americans retreated and joined the army at Fort Tonyn.[1]

Governor Houstoun, with the Georgia militia, did not reach St. Mary until the 4th of July, and Colonel Williamson, with his troops, did not form a junction until the 11th. When they did appear existing confusion became worse confounded. Hear what Colonel Pinckney [2] said of the situation: "After we have waited so long for the junction of the Militia we now find that we are to have as many independent commanders as corps: Governor Houstoun declaring that he would not be commanded; Col: Williamson hinting that his men would not be satisfied to be under Continental command or indeed any other command but his own: and Commodore Bowen insisting that in the naval department he is supreme; with this divided, this heterogeneous command, what can be done? Even if the season and every other military requisite were favorable, (but that is far from being the case) the Continental troops have been so violently attacked by sickness, and the desolation made by it is so rapidly increasing, that if we do not retreat soon, we shall not be able to retreat at all, and may crown this expedition with another Saratoga affair in reverse. But the many reasons which ought to induce us to return I cannot now enumerate. Some of the principles I herewith enclose you. From thence you will learn that we have the strongest grounds to imagine that the enemy mean not to fight us seriously on this side of St. John's. Skirmish with us they may, perhaps hang upon our flanks, and harass our rear, and, if we would give them an opportunity, attempt to surprize us; but to fight on this side of St. John's would be the most imprudent thing they possibly could do, and all their movements show they have no such intention."

A malarial region, intense heat, bad water, insufficient shelter, and salt meat so materially impaired the health of the command that the hospital returns showed one half the men upon the sick list. Many had been left at Fort Howe, incapacitated by disease. Through lack of forage thirty-five horses had perished, and those which remained were in such an enfeebled condition that they were unable to transport the cannon, ammunition, provisions, and baggage of the army. Dispirited and distracted were the soldiers. The command was rent by factions, and there

[1] See McCall's *History of Georgia*, vol. ii. p. 145. Savannah. 1816.

[2] *Letter to General Moultrie*, dated "Camp at the Ruins of Fort Tonyn, in East Florida, July 10th, 1778."

was no leading spirit to mould its discordant elements into a harmonious and efficient whole. Sufficiently powerful was it, if properly handled and wisely led, to have overrun East Florida and compelled the surrender of St. Augustine. But Governor Houstoun, remembering the powers conferred by his executive council, refused, with his militia, to receive orders from General Howe. Colonel Williamson's troops would not yield obedience to a continental officer, and Commodore Bowen insisted that the naval forces were entirely distinct from and independent of the land service. Thus was General Howe left to rely only upon the continental troops. Had a masterly mind been present quickly would these discordant elements have been consolidated; rapidly, by stern orders and enforced discipline, would the army, in all its parts, have been unified and brought into efficient subjection. But there was no potent voice to evoke order out of confusion, — no iron will to dominate over the emergency. General Howe simply accepted the situation as he found it, and, discouraged by the perplexing delays which had transpired, appalled by the sickness of the troops, embarrassed by the want of coöperation among the commanders, the lack of stores, and the inefficiency of the transportation department, and uncertain as to the future, convened a council of war at Fort Tonyn on the 11th of July, to pass upon the expediency of an abandonment of the expedition. That council was composed of General Howe, Colonel Elbert, Colonel White, Colonel Tarling, Colonel Rae, Lieutenant-Colonel Roberts, Lieutenant-Colonel Scott, Major Wise, Major Habersham, Major Pinckney, Major Grimkie, Colonel Pinckney, Colonel Eveleigh, Colonel Kirk, Lieutenant-Colonel Henderson, Lieutenant-Colonel McIntosh, Major Brown, Major Roman, Major Lane, and Major Low.

The conference was opened by General Howe, who remarked that the movements of the enemy in East Florida, the posts they occupied and were endeavoring to secure, the stations held by their men-of-war and armed vessels, the number of insurgents in Georgia and Carolina taking arms and concentrating in Florida, and the information received from deserters and reliable parties escaping from St. Augustine as well as from spies sent there to acquire a definite knowledge of the situation, all united in revealing the fact that an immediate invasion of Georgia was contemplated, — an incursion to all appearances too formidable to be repelled by that commonwealth alone. He further stated that South Carolina, responding generously to the call made upon

her in this emergency, had, with the utmost readiness, sent forward for the succor of her sister State a larger body of troops than could reasonably have been expected; and that with their assistance the continental forces of Georgia had succeeded in driving out the enemy. Fort Tonyn, whence the enemy was accustomed to make frequent inroads into Georgia to the detriment of the persons and property of her inhabitants, having been evacuated, and the contemplated invasion having been frustrated, this council of Field officers was called to determine whether the object which summoned these forces to the field had not been accomplished. The general, proclaiming a willingness to subordinate his own views to those which might be entertained by his officers, before proceeding to submit certain questions for their consideration, added "that drawing the enemy out of Georgia and dislodging them from Fort Tonyn were the principal ends he aimed at;" that "had the enemy thought proper, in defence of that post or of any other, to have opposed him, he would have been happy in defeating them in detail and should have availed himself of every advantage which might have resulted from the victory;" that from information acquired from Captains Moore, Heyrne, and Taylor, he was persuaded the roads leading towards St. Augustine, naturally bad, had been rendered impassable by the enemy, who had cut them in various places, destroyed the bridges, and so occluded the passage that neither artillery nor ammunition wagons could pass over them without a great expenditure of time and labor; that the enemy had abandoned all thought of opposition on this side of the river St. John; that the deputy quartermaster-general of the army reported, from severe marches and hard service, a loss of many horses, and that others were unfit for use; that the physician-general and the army surgeons "report that at least one half the number of men we set out with are already sick, many of them dangerously so, and that by the increasing inclemency of the climate the greater part of the army now well will, either by continuing here or advancing, most probably be destroyed;" and that he learned from Commodore Bowen the galleys could not get into St. John River without great time and labor spent in cutting a passage through Amelia Narrows, and that if such passage was effected the enemy was prepared with a superior force to dispute the ascent of the river.

In view of all these facts, General Howe proposed for the determination of the assembled officers the following questions, and received from them the subjoined answers: —

"1. As drawing the enemy out of Georgia and demolishing Fort Tonyn were the objects principally aimed at, have not these purposes been effected?

"Resolved unanimously in the affirmative.

"2. As it appears from information above recited that the enemy do not mean to oppose us in force on this side of St. John's river, are there any other objects important enough in our present situation to warrant our proceeding?

"Resolved unanimously in the negative.

"3. Is the army in a situation to cross St. John's river, attack the enemy, and secure a retreat in case of accident, though they should be aided by the militia now embodied under Governor Houstoun and Colonel Williamson?

"Resolved unanimously in the negative.

"4. Does not the sickness which so fatally prevails in the army render a retreat immediately requisite?

"Resolved unanimously in the affirmative."

The general then proceeded to inform the council that Governor Houstoun having denied him the right to command the militia, even if a junction should be formed between them and the continental troops, notwithstanding the resolution of congress declaring that "as to the propriety of undertaking distant expeditions and enterprises, or other military operations, and the mode of conducting them, the General, or other commanding officer must finally judge and determine at his peril," he therefore thought proper to propound these additional inquiries: —

"1. Can he with propriety, honor, and safety to himself, or consistent with the service, relinquish the command to the Governor?

"Resolved unanimously in the negative.

"2. Can the army, whilst the command is divided, act with security, vigor, decision, or benefit to the common cause?

"Resolved unanimously in the negative."[1]

Such being the conclusions of the council of war, General Howe accepted them, and resolved to withdraw the continental troops from the army. Upon taking leave of his command, he published the following general order: —

"Camp at Fort Tonyn, *14th July*, 1778.

"Parole, Savannah.

"The General leaves the army to-day. He parts with it with

[1] Moultrie's *Memoirs of the American Revolution*, vol. i. pp. 232–236. New York. 1802.

reluctance, and from no other motive than to make those provisions at proper places necessary to its accommodation. He embraces this opportunity to testify how highly he approves the conduct both of officers and men whom he had the honor to command.

"The readiness with which the officers received orders and the punctuality with which they executed them gave pleasure to the General and did honor to themselves. The cheerfulness with which the men supported a long and fatiguing march under a variety of unavoidable yet distressing circumstances gives them an undoubted claim to the character of good soldiers, and is a happy presage of the service they will in future render to the glorious cause in which they are engaged. Commanders of brigades will take care that this order be made known both to officers and men." [1]

With the well men of the continental forces, numbering some three hundred and fifty, under the command of Colonel Elbert, General Howe returned to Savannah. The sick and convalescent were placed on board the galleys and such vessels and large boats as could be accumulated, and, under the direction of Colonel C. C. Pinckney, were transported by the inland passage to Sunbury. Writing from this town on the 23d of July that officer says: [2] —

"It is with the greatest pleasure I embrace this opportunity of informing you that the sea air has already had a surprising effect on the men with me. The weak and convalescents are getting strong daily, and the sick recovering fast. We have hitherto been very much crowded in our vessels, but as the Georgia troops will be landed here, we shall soon have more room. I shall be able to procure the galleys of Georgia, by General Howe's and Commodore Bowen's orders, to carry us to Port Royal ferry. From thence (without I receive orders to the contrary, as the Georgia galleys will go no further with us), I shall march the men to Charlestown. The sick and ailing I shall send round by water, together with our baggage, and that the men may be better accommodated on their short march I shall send them off in detachments of 40's and 50's so that they will be able to sleep under cover in gentlemen's barns at night."

Left to themselves by the withdrawal of the continental forces, Governor Houstoun and Colonel Williamson, with the Georgia

[1] See MS. order book of General Elbert.

[2] Letter to General Moultrie.

and South Carolina militia, at first contemplated an advance as far as the St. John River. This purpose, however, conceived in a spirit of pride and vainglory, was speedily given over, and the men under their command were led back by land and dispersed to their respective homes.

The most that can be said in favor of this campaign, with its lamentable lack of preparation, want of management, disagreement between commanders, surprising mistakes, inexplicable delays, vexatious disappointments, and fruitless expenditures of men and munitions, is that it prevented for a season the advance of the enemy from Florida. Whether even this will atone for the expenditure of time and life and treasure involved may fairly be questioned. Crippled in no wise, the expectant enemy, biding his time, prepared for another invasion. Meanwhile, marauding parties crossed the St. Mary, and with sword and torch desolated Georgia plantations.

Encouraged by the commotion and emboldened by the retreat of the American forces, the Creek Indians, although inaugurating no general war, committed sundry thefts and murders along the frontier. Within the State the loyalists took heart, and the period was fraught with apprehension, insecurity, and turmoil.

Commenting upon the failure of the enterprise Captain McCall[1] quaintly observes: "Though this expedition cost the States of South Carolina and Georgia many lives and much treasure, yet perhaps the experience which was purchased at such a dear rate may have had its advantages in the final success of the American cause. It had the effect of teaching the government as well as the commanders of the armies that it was as practicable for one human body to act consistently under the capricious whims of two heads as for one army to act advantageously under many commanders. The number of troops in the first instance was not more than equal to one complete brigade, at the head of which was a heterogeneous association consisting of a State Governor, a Major General, an illiterate Colonel of Militia, and a Commodore of three or four gallies, with troops unaccustomed to a sickly climate at the hottest season of the year. It is astonishing that they effected a retreat without being defeated or cut off."

Although St. Augustine still remained in the possession of the English, all hope of its capture was not abandoned by the Americans. Its reduction was regarded as essential to the peace and safety of Georgia, and the conquest of East Florida was still a

[1] *History of Georgia*, vol. ii. p. 153. Savannah. 1816.

cherished expectation. In the fall of the year it was thought the whole affair might be successfully managed, and on this wise. Suitable boats for the conveyance of the troops, artillery, and baggage by the inland route to the St. John's River were to be prepared. These, when engaged in the transportation, were to be accompanied and guarded by the galleys and other armed vessels. Cattle for the subsistence of the army were to be driven overland, under a strong guard of cavalry and light infantry, to a point within thirty miles of St. Augustine where all the forces were to rendezvous and prepare for a short march upon the town. Three thousand men, with some field artillery, and a train of battering cannon with which to reduce the castle, were deemed sufficient for the adventure, and the month of November was thought most favorable for the undertaking.[1]

Subsequent events, however, entirely changed the aspect of affairs and incapacitated the Georgians and Carolinians from embarking in this enterprise.

Upon the return of the Georgia continental troops from Fort Tonyn, Colonel John McIntosh, with one hundred and twenty-seven men, was posted at Sunbury. The regiments of Colonels Elbert and White were sent to Savannah. General Howe repaired to Charlestown that he might give his personal attention to military affairs in that quarter. This season of comparative rest and recuperation was of short duration.

[1] See *Letter of General Moultrie to the Honorable Henry Laurens, President of Congress,* dated Charlestown, July 26, 1778.

CHAPTER XVI.

THE THEATRE OF WAR TRANSFERRED TO THE SOUTHERN PROVINCES. — GEORGIA INVADED BY COLONELS FUSER AND PREVOST. — AFFAIR NEAR MIDWAY CHURCH. — GENERAL SCREVEN KILLED. — PREVOST'S RAVAGES. — FUSER DEMANDS THE SURRENDER OF FORT MORRIS AT SUNBURY. — GALLANT RESPONSE OF COLONEL MCINTOSH. — ANECDOTE OF RORY MCINTOSH. — FUSER RAISES THE SIEGE AND RETURNS TO FLORIDA. — CONDITION OF THE MIDWAY DISTRICT. — GENERAL HOWE'S COMMUNICATION TO GENERAL MOULTRIE. — ARRIVAL OF BRITISH FORCES UNDER COLONEL CAMPBELL AND COMMODORE PARKER. — LANDING AT GIRARDEAU'S PLANTATION. — ADVANCE UPON SAVANNAH. — GENERAL HOWE'S ORDER OF BATTLE. — HOWE'S FATAL ERROR. — HIS DISPOSITIONS. — GENERAL MOULTRIE'S CRITICISMS. — CAPTURE OF SAVANNAH. — LOSSES SUSTAINED. — FLIGHT OF THE AMERICAN ARMY. — GEORGIA ABANDONED. — DISTRESSES OF THE PRISONERS. — PRISON-SHIPS. — HOWE'S CONDUCT THE SUBJECT OF INVESTIGATION. — MAJOR ANDRÉ'S PARODY UPON THE DUEL BETWEEN GENERALS HOWE AND GADSDEN.

THE commissioners[1] appointed by the Crown "to treat, consult, and agree upon the means of quieting the disorders now subsisting in certain of the Colonies, Plantations, and Provinces in North America" having failed in their efforts to bring about a pacification, resolved to conclude their sitting and to return to England. Their proclamation of the 3d of October, 1778, addressed to the Continental Congress, to the assemblies of the respective colonies, and to the inhabitants generally, had been met by a counter manifesto, published by the congress of the Confederated States on the 30th of the same month, in which "the essential rights of man" were heroically, and with an abiding confidence in the favorable intervention of the Supreme Disposer of human events, submitted "to the decision of arms."[2] It was now evident that all attempts to recover the revolted colonies by lenient measures would prove utterly futile, and that force alone could again subject them to the dominion of the mother country.

During the approaching winter it was resolved to transfer the

[1] The Earl of Carlisle, Sir Henry Clinton, and Mr. William Eden.

[2] See Stedman's *History of the American War*, vol. ii. pp. 58, 63. London. 1794.

theatre of active warfare from the Northern to the Southern provinces. Upon the conquest and permanent occupation of Georgia and South Carolina Lord George Germain fixed his hopes. The former was to be invaded by General Augustine Prevost issuing from East Florida, while a heavy force under the command of Colonel Archibald Campbell, sailing from New York, was to supplement this movement by a direct attack upon Savannah. Caught thus between the upper and the nether millstone it was confidently believed that Georgia would speedily and surely be ground down into absolute submission to British rule.

As a diversion, and with a view to distracting the attention of General Howe and the continental forces concentrated for the protection of Savannah, General Prevost dispatched from St. Augustine two expeditions, — one by sea to operate directly against Sunbury, and the other by land to march through and devastate the lower portions of Georgia and, at that town, to form a junction with the former. Of the detachment moving by water, and consisting of infantry and light artillery, Lieutenant-Colonel Fuser was placed in command, while the conduct of the column penetrating by land was entrusted to Lieutenant-Colonel Mark Prevost.

The latter officer, setting out with one hundred British regulars, was joined at Fort Howe by the notorious McGirth and three hundred refugees and Indians. On the 19th of November this force entered the Georgia settlements, taking captive all men found on their plantations, and plundering the inhabitants of every article of value capable of transportation. At the point where the Savannah and Darien road crosses Bulltown swamp Prevost was confronted by Colonel John Baker who had hastily collected some mounted militia to dispute his advance. After a short skirmish the Americans retreated. Colonel Baker, Captain Cooper, and William Goulding were wounded. At North Newport Bridge (afterwards called Riceborough Bridge), further resistance was offered by the patriots, but it was too feeble to materially retard the progress of the invading force. Meanwhile, Colonel John White,[1] having concentrated about one hundred continentals and militia, with two pieces of light artillery, took

[1] He had been for some time stationed at Sunbury, and commanded not only the continental troops there concentrated, but also all detached companies operating to the southward. Captain Morris' artillery company constituted the permanent garrison of the fort.

post at Midway Meeting-House and constructed a slight breastwork across the road at the head of the causeway over which the enemy must advance. His hope was that he might here keep Prevost in check until reinforcements could arrive from Savannah. An express was sent to Colonel Elbert to inform him of the hostile invasion, and Major William Baker, with a party of mounted militia, was detached to skirmish[1] with the enemy and, at every possible point, to interrupt his progress.

On the morning of the 24th Colonel White was joined by General Screven with twenty militiamen. It was resolved to abandon the present and occupy a new position a mile and a half south of Midway Meeting-House, where the road was skirted by a thick wood in which it was thought an ambuscade might be advantageously laid. McGirth being well acquainted with the country, and knowing the ground held by Colonel White, suggested to Prevost the expediency of placing a party in ambush at the very point selected by the Americans for a similar purpose. It was further proposed, by an attack and feigned retreat, to draw Colonel White out of his works and into the snare. The contending parties arrived upon the ground almost simultaneously, and firing immediately commenced. Early in the action the gallant General Screven, renowned for his patriotism and beloved for his virtues, received a severe wound, fell into the hands of the enemy, and was by them killed while a prisoner and suffering from a mortal hurt.[2]

[1] In one of these skirmishes Charles Carter was killed.

[2] The accounts of the death of General Screven vary in their details. Dr. Ramsay (*History of the Revolution of South Carolina*, vol. ii. p. 2, Trenton, MDCCLXXXV.) thus alludes to the tragic event: "He received a wound from a musket ball, in consequence of which he fell from his horse. After he fell, several of the British came up, and, upbraiding him with the manner in which Captain Moore of Brown's rangers had been killed, discharged their pieces at him. Few men were more esteemed or beloved for their virtues in private life: few officers had done more for their country than this gallant citizen who lost his life in consequence of the wounds received on this occasion."

Judge T. U. P. Charlton (*Life of Major-General James Jackson*, p. 11, Augusta, 1809), after referring to Dr. Ramsay's statement, says: "My Notes and Memoirs afford me an account somewhat different. They inform me that the General was on foot reconnoitering in a thicket on the left flank of the enemy's post on Spencer's Hill. On this spot an ambuscade had been formed, and he fell in the midst of it. Captain Thomas Glascock (afterwards a Brigadier-General of the Georgia Militia), a gallant young officer, was at his side and very narrowly escaped."

Captain McCall (*History of Georgia*, vol. ii. p. 159, Savannah, 1816) informs us that Colonel Elbert sent a flag to Colonel Prevost, by Major John Habersham, requesting permission to furnish General Screven with such medical aid as his situation might require. Doctors

A shot from one of the field-pieces passed through the neck of Prevost's horse, and both animal and rider fell. Major Roman DeLisle, commanding the artillery,[1] supposing that the British commander had been killed, quickly advanced his two field-pieces to take advantage of the confusion which ensued, and Major James Jackson, thinking the enemy was retreating, shouted *victory*. Prevost, however, soon appeared remounted, and advanced in force. Finding himself overborne by numbers, Colonel White retreated upon Midway Meeting-House, breaking down the bridges across the swamp as he retired, and keeping out small parties to annoy the enemy's flanks. Compelled to withdraw still further, and desiring by stratagem to retard the advance of the enemy, Colonel White "prepared a letter as though it had been written to himself by Colonel Elbert, directing him to retreat in order to draw the British as far as possible, and informing him that a large body of cavalry had crossed over Ogechee river with orders to gain the rear of the enemy, by which their whole force would be captured." This letter was so dropped as to find its way into the hands of Colonel Prevost, who seems to have considered it genuine. It is believed that it exerted much influence in retarding his advance, which was pushed in the direction of Savannah not more than six or seven miles beyond Midway Meeting-House. Meanwhile, McGirth, with a strong party, reconnoitring in the direction of Sunbury, ascertained that the expedition under Lieutenant-Colonel Fuser had not arrived. This circumstance, in connection with the concentration of the forces of Colonels Elbert and White at Ogeechee ferry where a breastwork[2] was thrown up and preparations were made

Braidie and Alexander were permitted to attend upon General Screven; but, upon reaching him, they found his wounds mortal, that he had only a few hours to live, and that any exertions they might make would only cause needless pain.

That General Screven, while in a desperately wounded condition, was shot by one of Prevost's rangers is admitted by Colonel Prevost in his letter to Colonel White, dated November 22, 1778. It would appear, by the same letter, that Captain Mittue and eight men had been detailed to bear the wounded general to the American camp.

That there was foul play on the part of the captors of this brave and wounded officer may not be doubted.

Captain Joseph Jones, the grandfather of the writer, stated upon information communicated by participants in this affair that General Screven, while wounded and a prisoner, was shot by his captors.

Congress ordered a monument to be erected to his memory. It has never been reared. The obligation is as binding now as when first solemnly recognized.

[1] The field-pieces here alluded to, under the general orders of Major Roman DeLisle, were commanded and served by Captains Celerine Brusard and Edward Young.

[2] In the erection of this breastwork much assistance was rendered by Mr. Savage's negroes.

vigorously to dispute his further progress, determined Prevost to abandon his enterprise and to return to St. Augustine.

Treating the population as rebels against a lawful sovereign, and utterly refusing to stipulate for the security of the country,[1] Prevost, upon his retreat, burnt Midway Meeting-House and all dwellings, negro quarters, rice barns, and improvements within reach. The entire region was ruthlessly plundered, the track of his retreating army being marked by smoking ruins. His soldiers, unrestrained, indulged in indiscriminate pillage, appropriating plate, bedding, wearing apparel, and everything of value capable of easy transportation. The inhabitants were subjected to insult and indignities. The region suffered terribly and the patriotism of the people was sorely tried.[2] The scene was such as was subsequently repeated when General Augustine Prevost, in 1779, raided through the richest plantations of South Carolina,[3] or when the Federal cavalry under General Kilpatrick, in the winter of 1864–1865, overran, occupied, and plundered Liberty County, converting a well-ordered and abundantly supplied region into an abode of poverty, lawlessness, and desolation.

Delayed by head winds, Colonel Fuser did not arrive in front of Sunbury until Prevost had entered upon his retreat and was beyond the reach of communication. Late in November, 1778, his vessels, bearing some five hundred men, battering cannon, light artillery, and mortars, anchored off the Colonel's Island.[4] A landing was effected at the ship-yard. Thence, the land forces with field-pieces, moving by the main road, marched upon Sunbury. The armed vessels sailed up Midway River in concert, and took position in front of the fort and in the back river opposite the town simultaneously with its investment on the land

[1] Major John Habersham was commissioned by Colonel Elbert to propose to Colonel Prevost some general arrangement by which the region might be protected from pillage and conflagration. Prevost, however, refused to stipulate for the security of the country, observing that the inhabitants had voluntarily brought on their impending fate by a rebellion against their lawful sovereign. McCall's *History of Georgia*, vol. ii. p. 159. Savannah. 1816.

[2] The following lines descriptive of the desolations wrought by this invading force are extracted from a quaint, old-fashioned poem composed by John Baker, a son of Colonel John Baker, and found among the MSS. of the latter: —

"Where'er they march, the buildings burn,
Large stacks of rice to ashes turn:
And me [Midway] a pile of ruin made
Before their hellish malice staid.

"Nor did their boundless fury spare
The house devote to God and prayer:
Brick, coal, and ashes shew the place
Which once that sacred house did grace.

"The churchyard, too, no better sped,
The rabble so against the dead
Transported were with direful fumes,
They tore up and uncover'd tombs."

[3] Bancroft's *History of the United States*, vol. x. p. 294. Boston. 1874.

[4] Formerly called *Bermuda Island*.

side by the infantry and artillery. Colonel John McIntosh, with one hundred and twenty-seven continental troops and some militia and citizens from Sunbury, numbering less than two hundred men in all, held Fort Morris. The town was otherwise unprotected. Having completed his dispositions, Fuser made the following demand upon Colonel McIntosh for the surrender of the fort: —

"SIR, — You cannot be ignorant that four armies[1] are in motion to reduce this Province. One is already under the guns of your fort, and may be joined, when I think proper, by Colonel Prevost who is now at the Midway Meeting-House. The resistance you can, or intend to make will only bring destruction upon this country. On the contrary, if you will deliver me the fort which you command, lay down your arms, and remain neuter until the fate of America is determined, you shall, as well as all of the inhabitants of this parish, remain in peaceable possession of your property. Your answer, which I expect in an hour's time, will determine the fate of this country, whether it is to be laid in ashes, or remain as above proposed.

"I am Sir,

Your most obedient, etc.,

L. V. FUSER,

Colonel 60th Regiment, and Commander of his Majesty's troops in Georgia, on his Majesty's Service.

"P. S.

"Since this letter was closed some of your people have been firing scattering shot about the line. I am to inform you that if a stop is not put to such irregular proceedings, I shall burn a house for every shot so fired."

To this demand the following brave response was promptly returned by Colonel McIntosh:[2] —

[1] He referred to the expedition from New York under the command of Colonel Archibald Campbell, that from Florida under Lieutenant-Colonel Mark Prevost, that, which had not yet taken the field, under General Augustine Prevost, and his own.

[2] Mr. John Couper, in a letter dated St. Simon's, 16th April, 1842, and written when he was eighty-three years of age, gives the following anecdote of the famous and eccentric Captain Rory McIntosh, who, at the time, had attached himself in a volunteer capacity to the infantry company commanded by Captain Murray, forming part of the fourth battalion of the 60th regiment. Captain Murray's company was in the lines which Colonel Fuser had developed around Sunbury and its fort. "Early one morning," writes Mr. Couper, "when Rory had made rather free with the 'mountain dew,' he insisted on sallying out to summons the fort to surrender. His friends could not restrain him, so out he strutted, claymore in hand, followed by his faithful slave Jim, and approached the fort, roaring out, 'Surrender, you miscre-

"FORT MORRIS, *Nov.* 25, 1778.

"SIR, — We acknowledge we are not ignorant that your army is in motion to endeavour to reduce this State. We believe it entirely chimerical that Colonel Prevost is at the Meeting-House: but should it be so, we are in no degree apprehensive of danger from a junction of his army with yours. We have no property compared with the object we contend for that we value a rush: and would rather perish in a vigorous defence than accept of your proposals. We, Sir, are fighting the battles of America, and therefore disdain to remain neutral till its fate is determined. As to surrendering the fort, receive this laconic reply: COME AND TAKE IT.[1] Major Lane, whom I send with this letter, is directed to satisfy you with respect to the irregular, loose firing mentioned on the back of your letter.

"I have the honor to be, Sir,
Your most obedient Servant,
JOHN MCINTOSH,
Colonel of Continental Troops."

In delivering this reply Major Lane informed Colonel Fuser that the irregular firing of which he complained was maintained to prevent the English troops from entering and plundering Sunbury. With regard to the threat that a house should be burned for every shot fired, Major Lane stated that if Colonel Fuser sanctioned a course so inhuman and so totally at variance with the rules of civilized warfare he would assure him that Colonel McIntosh, so far from being intimidated by the menace, would apply the torch at his end of the town whenever Colonel Fuser fired the town on his side, "and let the flames meet in mutual conflagration."[2]

ants! How dare you presume to resist his Majesty's arms?' Colonel McIntosh knew him, and, seeing his situation, forbid any one firing, threw open the gate, and said, 'Walk in, Mr. McIntosh, and take possession.' 'No,' said Rory, 'I will not trust myself among such vermin; but I order you to surrender.' A rifle was fired, the ball from which passed through his face, sidewise, under his eyes. He stumbled and fell backwards, but immediately recovered and retreated backwards, flourishing his sword. Several dropping shots followed. Jim called out, 'Run, massa — do kill you.' 'Run, poor slave,' says Rory. 'Thou mayest run, but I am of a race that never runs.' In rising from the ground, Jim stated to me, his master, first putting his hand to one cheek, looked at his bloody hand, and then raising it to the other, perceived it also covered with blood. He backed safely into the lines." White's *Historical Collections of Georgia*, p. 472. New York. 1855.

[1] The legislature of Georgia, in acknowledgment of the conspicuous gallantry of Colonel McIntosh on this occasion, voted him a sword with the words *Come and take it* engraven thereon.

[2] See White's *Historical Collections of Georgia*, pp. 523, 524. New York. 1855.

Instead of assaulting, Fuser hesitated and awaited a report from scouts whom he had sent into the country to ascertain the precise movements of Prevost and learn when his junction might be expected. That officer, as we have seen, unwilling, after the affair near Midway Meeting-House, to hazard an engagement with the continental forces supposed to be advancing from the Great Ogeechee, and surprised at the non-appearance of Fuser before Sunbury, had already commenced his retreat and was beyond the reach of easy communication. Surprised and chagrined at the intelligence, Fuser raised the siege, reëmbarked his troops, and returned to the St. John River where he met the returned forces of Prevost. Mutual recriminations ensued between these officers, each charging upon the other the responsibility of the failure of the respective expeditions.

Remembering the superior forces at command, it cannot be doubted that either singly or in conjunction Prevost and Fuser could have speedily occupied Sunbury and compelled a surrender of Fort Morris, had their operations been vigorously pressed. When we consider the paucity of continental troops and militia offering resistance to the invading column of the one, and the slender garrison opposed to the investing forces of the other, the small space and the short time to be overcome in accomplishing a junction, and the further fact that they both must have been aware of the near approach to Savannah of Colonel Campbell's expedition from which these advances from Florida were distinctly intended to distract the attention of the Revolutionists, we cannot but be surprised that Colonels Fuser and Prevost should thus have abandoned their enterprise when a consummation was manifestly within easy grasp.

Upon his retreat from Sunbury Colonel Fuser landed his British regulars at Frederica with instructions to repair and place in good defensive condition the military works which General Oglethorpe had planned and erected at that point.

Having collected his forces, General Robert Howe marched to Sunbury. During his short stay there he did little more than point out and condemn the defenseless condition of the works, and memorialize congress upon the dangers which threatened the Georgia coast, the lack of men and munitions of war, and the disorganization existing in his scattered army. He was one of those unfortunate officers who, lacking the energy and the

McCall's *Georgia*, vol. ii., pp. 155, 161. *the American Revolution*, etc., vol. i. p. Savannah. 1816. Moultrie's *Memoirs of* 189. New York. 1802.

ability to make the most of the resources at command, and harping upon the existence of defects and wants which inhered in the very nature of things, constantly clamored for the unattainable, indulged in frequent complaints, neglected careful organization, discipline, and dispositions, and, on important occasions, became involved in unnecessary perplexities and loss.

Although relieved from the presence of the enemy, heavy shadows rested upon the inhabitants of St. John's Parish.[1] Desolation and ruin were on every hand. The gathered crops having been burnt, many were without sufficient means of subsistence, and not a few were compelled to look elsewhere for support. These tribulations, however, were but an earnest of sadder ones soon to follow, trials so grievous that patriotic hearts were well-nigh overborne at thought and apprehension of distresses almost beyond human endurance. These peoples, the first of the colony to declare for freedom, were on the eve of passing under a yoke far more oppressive than that from which not three years before they had sought to escape, and their homes were to become so desolate that expatriation would be found preferable to a perplexing residence and distressful life in the region where they had garnered up present possessions and future hopes.[2]

General Howe's impressions of the conditions of affairs in Sunbury and in Georgia are thus conveyed in a letter to General Moultrie:[3] "It is impossible for me to give an account of the

[1] The inhabitants of Sunbury seem, at times, to have been considerably annoyed by the lawless conduct of the troops quartered in their midst. So marked were these violations of good order that General Howe on the 16th of January, 1778, deemed it proper to call attention to them in a general order from which we make the following extract: —

"Complaints have been made to the General that some of the Soldiers have injured the Buildings in the Town; and his own observation convinces him that these complaints are but too well founded. Actions like these disgrace an army, and render it hateful. Any Soldier who either offers Insult or does Injury to the Persons or Property of the Inhabitants will be punished in the severest manner. And officers of every degree are injoined to exert themselves to prevent such Enormities for the future if possible, or to detect those who may commit them, that they may receive that punishment which such Actions so richly deserve. Officers of Companies are to take particular care that their men are made acquainted with this Order." MS. order book of General Elbert.

[2] If we may credit a contemporary writer, the population of the Midway settlement was considerably demoralized.

"Fields once her [Midway's] glory and her pride,
Weeds, grass, and briars now do hide,
And worst of villains make their home
Where flames had happen'd not to come.

"Instead of preaching, prayers, and praise,
Now on the Gospel holy days
They race, and fight, and swear and game,
Without regard to law or shame.

"They arm'd, disguis'd, with faces blacked,
Do many villainies transact;
The few, few honest that are here,
Do often rob and put in fear."

(MS. Diary of Benj'n Baker.)

[3] Dated Sunbury, December 8, 1778.

confused, perplexed way in which I found matters in this State upon my arrival; nor has it been in my power to get them as yet in a better train. I am sorry to inform you that this town is not defensible for half an hour, should it be attacked the least formidably; and its present safety is entirely owing to the spirited conduct of the troops in the fort, and the want of enterprise in the enemy who most certainly might have possessed it in a very short time and with little loss though the garrison had made (which I doubt not they would have done) the most spirited resistance. The enemy undoubtedly are at St. Simon's where they are repairing the fort, and where the regulars remain: the Scopholites having been detached to convey their booty beyond St. John's, after which, as deserters say, they are to return. . . .

"I am concerned to inform you that notwithstanding these alarming appearances and my very early application for negroes to act as pioneers, I am as yet unfurnished with them, or indeed with any other assistance to carry on the works without which this State will probably be lost. The galleys are likewise in a condition, at this alarming crisis, truly deplorable. They are now given up to my direction, and I will exert myself to put them on a more respectable footing. All I can say is that my strenuous endeavors during my stay shall not be wanting to make the best defence possible against the attempts of the enemy, and if I am but heartily supported by the State, which I hope I shall be, I flatter myself we shall make the purchase of this country dearer perhaps than our enemies expect.

"Though I cannot think, without the most absolute necessity, of requesting of your State more Continental troops than have been ordered, yet should that necessity occur, being certain that my Country will give to this every generous support, I would have you hold Col. Henderson's regiment in constant readiness to move upon the first notice; and, lest the exigence of affairs should make still more assistance necessary, wagons and all other things requisite to the march of troops should immediately be got in readiness that the men, when wanted, may move without delay."

The regiments of Colonels Huger and Thompson had already been put under marching orders. At Purrysburg there was to be a concentration of forces so that they could advance for the relief of any threatened point, and Colonel Owen Roberts was directed to hasten forward with his artillery for the defense of Savannah. That town was in a very unprotected condition. At

its eastern extremity a battery had been thrown up and there a few guns were mounted. These, however, bore only upon the river. The land approaches were entirely open, the fortifications erected under the auspices of Captain DeBrahm having been permitted to fall into decay.

The first definite intelligence of Colonel Campbell's approach was communicated by William Haslen, a deserter from the British transport ship Neptune. He was examined before Governor Houstoun on the 6th of December, and a copy of his deposition[1] was at once forwarded by express to General Howe who was still at Sunbury. His declaration left no doubt on the minds of the authorities but that a very formidable expedition was afloat destined for the reduction of Savannah and the conquest of Georgia. About the same time General Howe received another express from the south verifying the rumor that General Augustine Prevost was on the eve of marching from St. Augustine, with all his forces, against Georgia.

In this alarming posture of affairs the militia was hastily summoned to the field, and Captain John Milton, secretary of state, was directed by the governor to pack and remove, without delay, to a place of safety, all the public records appertaining to his office. They were accordingly transported in boats to Purrysburg, and thence to the residence of Mr. Bryan.

Early in December the first vessels belonging to Colonel Campbell's expedition made their appearance at Tybee. The weather proving very unfavorable, they withdrew to sea, and at one time it was hoped that the alarm created by their presence was premature and possibly false. Even the governor shared in this impression, for he ordered that the public records should be returned to Savannah. Before this was done the British vessels were again upon the coast, and Captain Milton proceeded to Charlestown and there deposited the State's papers for safekeeping.

We learn from Lieutenant-Colonel Archibald Campbell's report[2] to Lord George Germain, dated Savannah, January 16, 1779, that in obedience to Sir Henry Clinton's orders he set sail from Sandy Hook on the 27th of November, 1778, with his majesty's 71st regiment of foot, two battalions of Hessians, four battalions of provincials, and a detachment of the royal artil-

[1] For a copy of this deposition see McCall's *History of Georgia*, vol. ii. p. 165. Savannah. 1816.

[2] See *Gentleman's Magazine* for the year 1739, p. 177.

lery, *en route* for Georgia. He was escorted by a squadron of his majesty's ships of war commanded by Commodore Parker. The entire fleet, with the exception of two horse sloops, arrived off the island of Tybee on the 23d of December. By the 27th the vessels had crossed the bar and were lying at anchor in the Savannah River.

From the provincial battalions two corps of light infantry were formed, one to be attached to Sir James Baird's light company of the 71st Highlanders, and the other to Captain Cameron's company of the same regiment. Possessing no intelligence that could be relied upon with regard to the military force in Georgia or the dispositions made for her defense, Sir James Baird's Highland company of light infantry, with Lieutenant Clarke of the navy, was dispatched in two flat-boats, on the night of the 27th, to seize any of the inhabitants they might find on the banks of Wilmington River. Two men were captured, and the information derived from them confirmed Colonel Campbell and Commodore Parker in the resolution to land their troops the next evening at Mr. Girardeau's plantation, less than two miles below the town of Savannah. This was the first practicable bluff near the Savannah River, — the region between it and Tybee Island being a continuous marsh intersected by streams.

The Vigilant, a man-of-war, with the Comet galley, the Keppel, an armed brig, and the armed sloop Greenwich, followed by the transports in three divisions in the order established for a descent, proceeded up the river with the tide at noon. About four o'clock in the afternoon the Vigilant opened the reach to Girardeau's plantation, and was cannonaded by two American galleys. A single shot from the Vigilant quickened their retreat.

The tide and the evening being too far spent, and many of the transports having gotten aground some five or six miles below Girardeau's plantation, the debarkation was delayed until the next morning. At daybreak the first division of the troops — consisting of all the light infantry of the army, the New York volunteers, and the first battalion of the 71st regiment, under the command of Lieutenant-Colonel Maitland — was landed on the river dam in front of Girardeau's plantation. Thence a narrow causeway, about eight hundred yards in length, with a ditch on each side, led through a swamp directly towards Girardeau's residence, which stood upon a bluff some thirty feet above the level of the river delta. The light infantry, under Captain Cameron,

having first reached the shore, were rapidly formed and led briskly forward to the bluff where Captain John C. Smith, of South Carolina, with forty men, was posted. Here the British were welcomed by a smart fire of musketry by which Captain Cameron and two Highlanders were slain and five others were wounded. Rushing onward and upward the enemy quickly succeeded in driving Captain Smith from his position. He retreated upon the main army. The bluff was soon occupied by the first division of the king's troops and one company of the second battalion of the 71st regiment, the first battalion of Delancey, the Wellworth battalion, and a portion of Wissenbach's regiment of Hessians.

A company of the second battalion of the 71st regiment and the first battalion of Delancey being left to cover the landing place, Colonel Campbell moved on in the direction of Savannah in the following order. The light infantry, throwing off their packs, formed the advance. Then came the New York volunteers, the first battalion of the 71st regiment, with two six-pounder guns, and the Wellworth battalion of Hessians with two three-pounders. A part of Wissenbach's Hessian battalion closed the rear. Upon entering the great road leading to the town, Wissenbach's battalion was there posted to secure the rear of the army. A thick, impenetrable, wooded swamp covered the left of the line of march, while the cultivated plantations on the right were scoured by the light infantry and the flankers.

The open country near Tattnall's plantation was reached just before three o'clock in the afternoon. The command was halted in the highway, about two hundred paces from the gate opening into Governor Wright's plantation, and the light infantry was formed upon the right along the rail fence.

Leaving the English forces in this position, we turn for a moment to General Howe's army. That officer had formed his encampment southeast of Savannah, and anxiously awaited reinforcements of militia and continental troops from South Carolina. His soldiers had not yet recovered from the pernicious influences of the Florida campaign. About a fourth of the Georgia continentals lay prostrate by disease, and many who were convalescing were too feeble to endure the fatigue of battle.[1] He had found it impracticable to concentrate the militia. On the day when Colonel Campbell wrestled with General Howe for the possession of Savannah, the army of the latter, exclusive of the militia,

[1] McCall's *History of Georgia*, vol. ii. p. 169. Savannah. 1816.

numbered only six hundred and seventy-two, rank and file; while that of the former showed an aggregate present of more than two thousand.

On the 28th of December general instructions were issued to prepare for action, and on the following day this order of battle was announced: —

"HEAD QUARTERS, SAVANNAH, *December* 29, 1778.

"PAROLE, Firmness. The first brigade is to be told off into sixteen platoons of an equal number of files; the odd files to be formed into one platoon on the right wing of the brigade to act as light infantry according to exigencies.

"Two field officers to be appointed to the command of the right wing of both brigades.

"The second brigade to be told off into eight platoons of an equal number of files to be formed on the left of the first brigade in order to act as light infantry as will be directed.

"Colonel Isaac Huger will command the right wing of the army composed of the first brigade and the light troops belonging to it.

"The artillery of both brigades and the park to be posted before and during the action as shall be directed, and defend their ground until further orders. The artillery when ordered or forced to retreat are to fall into the road leading to the western defile where Colonel Roberts is to take as advantageous a post as possible to protect the retreat of the line."

The town of Savannah was approached by three principal roads: one leading from the high grounds of the Brewton Hill plantation and Thunderbolt, and forming a causeway where it crossed a morass adjacent to the town, with rice-fields to the north and wooded swamps on the south; a second, formed by the union of the White Bluff and the Ogeechee ferry highways, coming in from the south; and a third, leading westwardly across the deep swamp of Musgrove Creek, with rice-fields on the north and an extensive morass toward the south.

On the morning of the 29th when Colonel Elbert discovered the enemy in the act of landing, he urged upon General Howe the importance of defending Brewton Hill,[1] and offered with his regiment to prevent the British from obtaining possession of it. The strategic value of the bluff was apparent, and Colonel Elbert's intimate acquaintance with the locality would have enabled him in all probability to have defeated the enemy in his effort

[1] Then known as Girardeau's plantation.

to effect a lodgment there. With surprising stupidity General Howe committed the fatal blunder of rejecting this offer, and formed his army for battle on the southeast of Savannah along the crest of the high ground and in proximity to the town as it then stood.

No position more apt for defense could have been selected in the entire neighborhood than the bluff at Girardeau's plantation. A regiment there posted, and a few pieces of field artillery advantageously distributed along the brow, would have utterly shattered the advancing column of the enemy moving along a narrow rice dam half a mile in length with marish and impracticable grounds on either hand. Persisting in such a movement, the enemy could have been torn to pieces by the plunging and enfilading fire. We marvel at the lack of observation and generalship which permitted such an opportunity to pass unimproved. The disparity of forces rendered it all the more obligatory that every advantage should have been taken of this position. It was the key to Savannah. Once in the keeping of Colonel Campbell, the subsequent reduction of the place by means of the preponderating forces under his command became a matter only of a short time and energetic action. Repulsed from this landing place, and defeated in the effort to obtain a base of operations here, the acquisition of Savannah would have proved to the enemy a far more difficult problem. General Moultrie condemns General Howe for attempting, under the circumstances, the defense of Savannah, but omits the special censure which should properly be visited upon him for the neglect which we have pointed out. He says:[1] —

"When Gen. Howe perceived that the British by their movements intended a descent upon Savannah he called a council of war of his field-officers to advise with them whether he should retreat from Savannah or stay and defend the town with his troops. The majority of the Council were of opinion that he should remain in Savannah and defend it to the last. This was the most ill-advised, rash opinion that could possibly be given. It was absurd to suppose that 6 or 700 men, and some of them very raw troops, could stand against 2 or 3000 as good troops as any the British had, and headed by Col. Campbell, an active, brave, and experienced officer.

"From every information which Gen. Howe received he was well assured that the British troops were at least that number.

[1] *Memoirs of the American Revolution*, etc., vol. i. p. 253. New York. 1802.

Gen. Howe should have retreated with his 6 or 700 men up the country, especially as he had certain information that Gen. Lincoln was marching with a body of men to join him, and did actually arrive at Purisburgh on the 3rd day of January, only 4 days after his defeat."

In this judgment after event we do not fully sympathize. Had the landing of the enemy been properly disputed, the capture of Savannah would have been either indefinitely postponed or entirely prevented.

General Howe formed line of battle across the road leading from Brewton Hill and Thunderbolt to Savannah at a point about eight hundred yards distant from the gate leading to Governor Wright's plantation. One brigade, consisting chiefly of the regiments of Colonels Huger and Thompson, and commanded by Colonel Huger, was disposed on the right; its left resting obliquely on the road, and its right on a wooded swamp covered by the houses of the Tattnall plantation in which some riflemen were placed. The other brigade, consisting of parts of the first, second, third, and fourth battalions of the Georgia continentals, under the command of Colonel Elbert, was posted upon the left; its right resting upon the road and its left extending to the rice-fields of Governor Wright's plantation. Behind the left wing of this brigade was the fort on the Savannah River bluff. The town of Savannah, around which were the remains of an old line of intrenchments, was in the rear of the army. One piece of field artillery was planted on the right of the line, and another on the left. Just where the line crossed the Thunderbolt road a traverse had been thrown up, and behind this two cannons were posted. One hundred paces in front of this traverse, at a critical point between two swamps, a trench was cut across the road to impede the advance of the enemy, and, about the same distance beyond this trench in the direction of the enemy a marshy stream ran parallel with the American line of battle. Where it crossed the road the bridge had been burnt.

In this situation General Howe waited for the approach of the British. Although informed by Colonel George Walton that there was a private way through the swamp by means of which the enemy could pass from the high grounds of Brewton Hill plantation and gain the rear of the American right, and although urged by him to have the same properly guarded, General Howe neglected to give any attention to the matter, thus committing another fatal error in the conduct of this important affair.

Falling in with an old negro man named Quamino Dolly, Colonel Campbell acquired information from him of the existence of the private path leading through the wooded swamp and debouching in the rear of the American right. He at once secured his services as a guide. The first battalion of the 71st regiment was ordered to form on the English right of the road and move up in rear of the light infantry which was extended to the right as though threatening the American left. Taking advantage of a hollow which concealed the manœuvre, Sir James Baird was directed to conduct the light infantry quite to the British rear; and thence, passing to the left, to enter the path which led to the rear of the American right. The New York volunteers under Colonel Trumbull were instructed to support him.

While this movement was in progress the British artillery, concentrated in a field in front of the American right and sheltered from observation by an intervening swell in the ground, was held in readiness either to play upon the American line of battle or to open upon any force which might be detached to enter the wood and interrupt the progress of the light infantry. Wellworth's Hessian battalion was formed on the left of this artillery.

Meanwhile, the Americans opened upon the enemy with cannon. This fire provoked no reply. Sir James Baird and the light infantry, having fairly gained the rear of the right of General Howe's army, issued from the swamp and attacked a body of militia which had been posted to guard the road leading to the Great Ogeechee ferry. This force was quickly put to flight. At the sound of these guns Colonel Campbell ran his field-pieces to the front and opened a heavy cannonade. He at the same time ordered a vigorous charge all along his line. Attacked in front and rear the patriots soon gave way. A retreat was sounded. A panic ensued, and the Americans made their way, as best they could, and in a confused manner, through the town. Before the retiring army gained the head of the causeway over Musgrove's swamp, west of Savannah, — the only pass by which a retreat was practicable, — the enemy secured a position to interrupt the crossing. By extraordinary exertions Colonel Roberts kept the British in check until the centre of the army made its escape. The American right flank being between two fires suffered severely. The left, under the command of Colonel Elbert, continued the conflict with such gallantry that a retreat by the causeway became impracticable. That officer therefore attempted



Geo Washington.



to lead his troops through the rice-fields between the Springfield causeway and the river. In doing so he encountered a heavy fire from the enemy, who had taken possession of the causeway and of the adjacent high grounds of Ewensburg. Reaching Musgrove Creek, Colonel Elbert found it filled with water, for the tide was high. Consequently, only those of his command who could swim succeeded in crossing, and this they did with the loss of their arms and accoutrements. The others were either drowned or captured.

The Georgia militia, about one hundred in number, posted in rear of the right of the American line on the South Common, and commanded by Colonel George Walton, received the shock of the column led by Sir James Baird. The conflict was spirited, but of short duration. Colonel Walton, wounded,[1] fell from his horse and was captured. Pressed by Sir James Baird from the southeast, this command in retreating into the town was met by the enemy in hot pursuit of the fugitive army of General Howe. It suffered terribly, and was wholly killed, wounded, or captured. Some of its members — inhabitants of Savannah — were bayoneted in the streets by their victorious pursuers.[2]

As soon as Sir Hyde Parker perceived the impression made upon the American line by Colonel Campbell, he quickly moved his small armed vessels up to the town, sending the Comet galley as far as the ebb tide would permit. Thus all the shipping at the wharves was taken, and Savannah was cut off from communication with South Carolina. His squadron captured one hundred and twenty-six prisoners, three ships, three brigs, and eight smaller vessels. The only loss experienced by him consisted of one seaman killed and five sailors wounded.[3]

Having vainly endeavored to rally his routed army on the high ground west of Musgrove's swamp, General Howe retreated to Cherokee Hill, about eight miles from Savannah, where he halted until the stragglers could come up. From this point he dispatched Lieutenant Tennill with orders to Lieutenant Aaron Smith, of the third South Carolina regiment commanding at Ogeechee ferry, and to Major Lane, commanding at Sunbury, to evacuate their posts and join the army at Sister's and Zubly's ferries. After a march of thirty-six hours, through a swampy

[1] Colonel Walton received a shot in the thigh from which he never entirely recovered. Charlton's *Life of Jackson*, p. 13. Augusta. 1809.

[2] See McCall's *History of Georgia*, vol. ii. p. 175. Savannah. 1816.

[3] See Stevens' *History of Georgia*, vol. ii. p. 177. Philadelphia. 1859.

region, Lieutenant Smith, with twenty men, joined a detachment of the rear-guard of the army at Ebenezer.

Persuaded by Captain Dollar, commanding a corps of artillery, and by many of the leading inhabitants of Sunbury who regarded his withdrawal as fatal to all their hopes of safety, Major Lane deliberately disobeyed these orders. He was subsequently captured by General Prevost, and upon his release and return to the army was tried by a court-martial and dismissed from service for this improper conduct.

From Cherokee Hill General Howe marched up the Savannah River to Sister's and Zubly's ferries where he crossed over into South Carolina, abandoning Georgia to her fate.

In this disastrous and sadly conducted affair the Americans lost eighty-three killed and drowned.[1] Thirty-eight officers and four hundred and fifteen non-commissioned officers and privates were made captive. Among the prisoners were many sick who had not participated in the unfortunate engagement. Forty-eight pieces of cannon, twenty-three mortars, ninety-four barrels of powder, a fort, the shipping in port, and, above all, the capital of Georgia were among the substantial trophies of this victory.[2]

Wonderful to relate, the loss sustained by the British consisted of only one captain and two privates killed, and one sergeant and nine privates wounded.

Although Colonel Campbell reported that "every possible care was taken of the houses in town" and that "few or no depredations occurred," and although he would have Lord George Germain to believe that many of the respectable inhabitants of Savannah at once flocked to the king's standard, the truth is the houses of all rebels were given up to the spoiler. Brutal outrages were committed by both officers and men. Prisoners were alternately threatened and persuaded, and such as resolutely refused to enlist in the British army were immured in prison-ships where they suffered the privations and the tortures of the damned. Among the victims of British vengeance who were consigned to such horrid confinement may be mentioned Rev. Moses Allen,[3] chaplain to the Georgia brigade and as pure a

[1] Colonel Campbell says, in his report to Lord George Germain, that eighty-three Americans were found dead upon the common, and eleven wounded, and that he learned from the prisoners that thirty were drowned in the swamp in attempting to make their escape. *Gentleman's Magazine* for 1779, p. 179.

[2] For a full enumeration of the articles captured, see Stedman's *History of the American War*, vol. ii. p. 71. London. 1794.

[3] Ramsay's *History of the Revolution of South Carolina*, vol. ii. p. 7. Trenton. MDCCLXXXV.

patriot as dwelt within the confines of the State, who lost his life in attempting to regain his liberty by swimming to land, and the venerable Jonathan Bryan, bending beneath the weight of years and many infirmities, yet proud in spirit and unswerving in his devotion to the principles of American freedom.[1] The names of the Nancy, Captain Samuel Tait, the Whitby, Captain Lawson, the Eleanor, Captain Rathbone, and the Munificence will always be associated with memories of privation, suffering, inhumanity, and death.

What Colonel Henry Lee calls the "supineness" exhibited by General Howe in not discovering and guarding the by-way leading to the rear of his line of battle, as well as his general conduct in the affair of the 29th of December, have been severely criticised and censured. They became subjects of serious inquiry by the General Assembly of Georgia. A committee of investigation was raised which, on the 17th of January, 1780, submitted the following report: "The Committee appointed to take into consideration the situation of the State since the 29th of December, 1778, report that the Capital and troops in this State were sacrificed on the said 29th of December, which was the first cause of the distresses and consequences which ensued. Your Committee are of opinion that the delegates of this State should be directed to promote a trial of Major-General Howe who commanded on that day. They find that the good people of the State were still further discouraged by the said Major-General Howe crossing Savannah River the next day with the troops that escaped from Savannah, and ordering those at Sunbury and Augusta to do the same; leaving the State at the mercy of the enemy without any Continental troops: instead of retreating to the back country and gathering the inhabitants. The country, thus abandoned, became an easy prey to the British troops, they marching up and taking post at Augusta and sending detachments to every part of the State."

A court of inquiry was held; and although General Howe was acquitted, his military reputation never recovered from the shadow cast upon it by the loss of the capital of Georgia.

Among those who took occasion to criticise his conduct most severely was General Gadsden of South Carolina. He published a letter condemning his behavior in unmeasured terms. Gen-

[1] Captain McCall states that when his daughter entreated Commodore Parker to mitigate the sufferings of her aged parent she was dismissed with vulgar rudeness and contempt. *History of Georgia*, vol. ii. p. 176. Savannah. 1816.

eral Howe demanded an explanation. Upon General Gadsden's refusal either to retract or to apologize, a duel ensued in which Howe's ball grazed Gadsden's ear. The circumstances of this meeting being published in New York, at that time the headquarters of the royal army, the famous Major André was moved to the composition of the following parody: —

"It was on Mr. Percy's land [1]
At Squire Rugeley's corner,[2]
Great H. and G. met, sword in hand,
Upon a point of honor. — Yankee Doodle.

"G. went before with Colonel E.,[3]
Together in a carriage;
On horseback followed H. and P.[4]
As if to steal a marriage.

"On chosen ground they now alight,
For battle duly harnessed;
A shady place and out of sight,
It showed they were in earnest.

"They met, and in the usual way,
With hat in hand, saluted,
Which was, no doubt, to show how they
Like gentlemen disputed.

"And then they both together made
This honest declaration —
That they came there by honor led,
And not by inclination.

"That is, they fought, 't was not because
Of rancor, spite, or passion,
But only to obey the laws
Of custom and the fashion.

"The pistols then, before their eyes,
Were fairly primed and loaded;
H. wished, and so did G. likewise,
The custom was exploded.

"But as they now had gone so far
In such a bloody business,
For action straight they both prepared,
With mutual forgiveness.

[1] Percy's land, north of Cannonsboro, extending to the lines.

[2] Squire Rugeley, the Colonel Rugeley, near Camden, now Major Bulow's Corner.

[3] Colonel Bernard Elliott.

[4] General C. C. Pinckney.

"But lest their courage should exceed
The bounds of moderation,
Between the seconds 't was agreed
To fix them each a station.

"The distance stepped by Colonel P.,
'T was only eight short paces;
Now, gentlemen, said Colonel E.,
Be sure to keep your places.

"Quoth H. to G., Sir, please to fire;
Quoth G., No, pray begin, Sir:
And, truly, we must needs admire
The temper they were in, Sir.

"We 'll fire both at once, said H.,
And so they both presented;
No answer was returned by G.,
But silence, Sir, consented.

"They paused awhile, these gallant foes,
By turns politely grinning,
'Till after many cons and pros,
H. made a brisk beginning.

"H. missed his mark but not his aim,
The shot was well directed;
It saved them both from hurt and shame,
What more could be expected?

"Then G. to show he meant no harm,
But hated jars and jangles,
His pistol fired across his arm
From H., almost at angles.

"H. now was called upon by G.
To fire another shot, Sir;
He smiled, and after that, quoth he,
No, truly, I cannot, Sir.

"Such honor did they both display,
They highly were commended,
And thus, in short, this gallant fray
Without mischance was ended.

"No fresh dispute, we may suppose,
Will e'er by them be started;
And now the chiefs, no longer foes,
Shook hands, and so they parted. — Yankee Doodle."[1]

[1] See Johnson's *Traditions and Reminiscences, chiefly of the American Revolution in the South*, p. 204. Charleston. 1851.

CHAPTER XVII.

Colonel Campbell advances rapidly up the Savannah River. — Proclamations of Colonel Innes, Colonel Campbell, and Commodore Parker. — Stringent Regulations promulgated. — Oaths of Allegiance exacted. — The British occupy Ebenezer. — Rev. Mr. Triebner. — Capture of Sunbury. — General Augustine Prevost assumes Command of all his Majesty's Forces in Georgia. — Pitiable Situation of Southern Georgia. — Disposition of the American and British Forces on Either Bank of the Savannah River. — General Lincoln. — Affair in Burke County. — Colonel Campbell captures Augusta. — Dooly. — Pickens. — Carr's Fort attacked. — Affair near the Cherokee Ford. — Battle of Kettle Creek. — Colonel Boyd killed. — Effect of the Victory. — Capture of the British Post at Herbert's. — Captain Whitley and his Party taken. — Exploit of Lieutenant Hawkins. — Colonel Campbell evacuates Augusta.

Although destitute of artillery horses and unprovided with a provision train, Colonel Campbell followed up his advantage so vigorously that he reached Cherokee Hill on the 1st of January, 1779, and the next day took possession of the town of Ebenezer. On this march he succeeded in collecting twenty dragoon horses and several hundred head of cattle. So close was his pursuit that the rear of General Howe's army had barely crossed the Savannah River at Sister's ferry when the British infantry came up and occupied that point. With such men as he was able to place in the saddle, and with his light infantry, he proceeded to Mount Pleasant and, for a distance of fifty miles above Savannah, found not a "single rebel to oppose him."

Overwhelmed at the calamity which had overtaken the State, and some of them rejoicing at the triumphant return of the king's servants, "many respectable inhabitants," reports Colonel Campbell, "joined the army on this occasion with their rifles and horses." These he organized into a corps of rifle dragoons, that they might patrol the country between the advanced posts and Savannah and convey the earliest intelligence of the movements of the Americans. At Ebenezer sufficient recruits were enlisted to form a company, and to it was assigned the duty of

scouring the country in that vicinity. Posts were established at important points along the line of the Savannah, and every effort was made to awe the region into submission. With a number of armed boats from the fleet Captain Stanhope, of the navy, and Lieutenant Clark ascended the Savannah River and succeeded in capturing an armed brig, two sloops, and a schooner which were interrupting the passage to Abercorn. The Comet galley and the sloop Greenwich were anchored at the mouth of Ebenezer Creek. The American galleys, which were occupying that station, upon the approach of the enemy sailed up the river as far as Purrysburg, where General Benjamin Lincoln,[1] assigned to the command of the Southern Department and newly arrived, had established his headquarters. Here, too, on the 4th of January, was he joined by the remnant of General Howe's army under the conduct of Colonel Huger. Orders were issued for slaughtering and salting up for the use of the British army and navy all rebel cattle within reach of the posts established by the enemy, and such encouragements were offered the farmers to bring in their animals and produce as were deemed sufficient for the establishment of suitable markets.

Upon the capture of Savannah Colonel Innes, aid-de-camp to Sir Henry Clinton, who had accompanied the expedition, was assigned to the immediate command of the town. He saw fit at once to issue a proclamation requiring the inhabitants of Savannah and the adjacent country to bring in their arms, ammunition, and accoutrements of every sort, and surrender them to the military storekeeper. They were also enjoined to reveal the places where arms and stores were buried or secreted, under the threat that if, upon search, such articles were discovered the inhabitants owning the houses or plantations where such concealments occurred should be regarded and punished as enemies to the royal government. Regulations were established, and special places designated for landing boats. None were suffered to depart without a permit from the superintendent of the port. A violation of these regulations involved a confiscation of boats and cargoes and punishment of the crews.

On the 4th of January Lieutenant-Colonel Campbell and Sir Hyde Parker united in a proclamation setting forth the fact that a fleet and army had arrived in Georgia for the protection of the friends of lawful government and to rescue them from

[1] The order of congress superseding General Howe by the appointment of General Lincoln was dated the 26th of September, 1778.

the bloody persecution of their deluded fellow-citizens. All well-disposed inhabitants "who reprobated the idea of supporting a French league, and wished to embrace the happy occasion of cementing a firm union with the Parent State free from the imposition of taxes by the Parliament of Great Britain, and secured in the irrevocable enjoyment of every privilege consistent with that union of force on which their material interests depended," were assured that they would meet with the most ample protection on condition that they forthwith returned to the class of peaceful citizens and acknowledged their just allegiance to the Crown. Against those who should attempt to oppose the reëstablishment of legal government the rigors of war were denounced.

Persons desiring to avail themselves of the benefits of this proclamation were invited to repair to Savannah, and, as an evidence of their sincerity, to subscribe the following oath: "I . . . do solemnly swear that I will bear true and faithful allegiance to his Majesty King George the Third, my lawful Sovereign, and that I will, at all risks, stand forth in support of his person and government. And I do solemnly disclaim and renounce that unlawful and iniquitous confederacy called the General Continental Congress, also the claim set up by them to independency, and all obedience to them, and all subordinate jurisdictions assumed by or under their authority. All this I do sincerely promise without equivocation or mental reservation whatever. So help me God."

A week afterwards another proclamation was issued, offering "a reward of ten guineas for every committee and assembly man taken within the limits of Georgia," and "two guineas for every lurking villain who might be sent from Carolina to molest the inhabitants."[1] Prices were prescribed for all articles of merchandise, country produce, and vegetables. A violation of the rules of trade, thus established, was punished by confiscation of the articles exposed to sale. Licenses to traffic were granted only to those who had taken the oath of allegiance; and a penalty of one hundred pounds sterling was recoverable from every merchant dealing with one disloyal to the king. No produce of any kind could be exported without a certificate from the superintendent of the port that it was not wanted for the use of the king's soldiers. To the families of those who maintained their devotion to the American cause, whether in camp or on board prison-ships,

[1] See *Letter of Colonel Campbell to Lord George Germain*, dated Savannah, January 16, 1779. *Gentleman's Magazine* for 1779, p. 177.

no mercy was shown. Stripped of property, their homes rendered desolate, often left without food and clothing, they were thrown upon the charity of an impoverished community. The entire coast region of Georgia, with the exception of Sunbury, was now open to the enemy who overran and exacted a most stringent tribute. Never was change more sudden or violent wrought in the status of any people. Writing from Purrysburg, on the 10th of January, 1779, to Colonel C. C. Pinckney, General Moultrie mentions that thousands of poor women, children, and negroes were fleeing from Georgia, they knew not whither, "sad spectacle that moved the hearts of his soldiers." [1]

Upon their occupation of Ebenezer the British threw up a redoubt within a few hundred yards of Jerusalem Church and fortified the position.[2] The remains of this work are still visible. The moment he learned that Savannah had fallen, Mr. Triebner, who always maintained an open and strenuous adherence to the Crown, hastened to Colonel Innes, proclaimed his loyalty, and took the oath of allegiance. The intimation is that he counseled the immediate capture of Ebenezer, and, in person, accompanied the detachment which compassed the seizure of his own village and people. He was a violent, uncompromising man, at all times intent upon the success of his peculiar views and wishes. Influenced by his advice and example, not a few of the Salzburgers subscribed oaths of allegiance to the British Crown and received certificates guaranteeing royal protection to person and property. Prominent among those who maintained their adherence to the rebel cause were Governor John Adam Treutlen, William Holsendorf, Colonel John Stirk, Secretary Samuel Stirk, John Schnider, Rudolph Strohaker, Jonathan Schnider, J. Gotlieb Schnider, Jonathan Rahn, Ernest Zittrauer, and Joshua and Jacob Helfenstein.

"The citizens at Ebenezer and the surrounding country," says Mr. Strobel, "were made to feel very severely the effects of the war. The property of those who did not take the oath of allegiance was confiscated, and they were constantly exposed to every species of insult and wrong from a hired and profligate soldiery. Besides this, some of the Salzburgers who espoused the cause of the Crown became very inveterate in their hostility to the Whigs in the settlement, and pillaged and then burnt their dwellings. The residence on the farm of the pious Raben-

[1] *Memoirs of the American Revolution*, etc., vol. i. p. 259. New York. 1802.

[2] In 1776, Ebenezer had been partially fortified by the Revolutionists.

horst was among the first given to the flames. Among those who distinguished themselves for their cruelty were one Eichel, who has been properly termed an 'inhuman miscreant,' whose residence was at Goshen, and Martin Dasher, who kept a public house five miles below Ebenezer. These men placed themselves at the head of marauding parties, composed of British and Tories, and laid waste every plantation or farm whose occupant was even suspected of favoring the Republican cause. In these predatory excursions the most revolting cruelty and unbridled licentiousness were indulged, and the whole country was overrun and devastated. . . . The Salzburgers, nevertheless, were to experience great annoyances from other sources. . . . A line of British posts had been established all along the western bank of the Savannah river to check the demonstrations of the Rebel forces in Carolina. Under these circumstances, Ebenezer, from its somewhat central position, became a kind of thoroughfare for the British troops in passing through the country from Augusta to Savannah. To the inhabitants of Ebenezer, particularly, this was a source of perpetual annoyance. British troops were constantly quartered among them, and to avoid the rudeness of the soldiers and the heavy tax upon their resources, many of the best citizens were forced to abandon their homes and settle in the country, thus leaving their houses to the mercy of their cruel invaders. Besides all this, they were forced to witness almost daily acts of cruelty practised by the British and Tories toward those Americans who happened to fall into their hands as prisoners of war; for it will be remembered that Ebenezer, while in the hands of the British, was the point to which all prisoners taken in the surrounding country were brought and from thence sent to Savannah. It was from this post that the prisoners were carried who were rescued by Sergeant Jasper and his comrade, Newton, at the Jasper Spring, a few miles above Savannah. There was one act performed by the British commander which was peculiarly trying and revolting to the Salzburgers. Their fine brick church was converted into a hospital for the accommodation of the sick and wounded, and subsequently it was desecrated by being used as a stable for their horses. To this latter use it was devoted until the close of the war and the removal of the British troops from Georgia. To show their contempt for the church and their disregard for the religious sentiments of the people, the church records were nearly all destroyed, and the soldiers would discharge their guns at different objects on the church; and even

to this day the metal '*Swan*' (Luther's coat of arms) which surmounts the spire on the steeple bears the mark of a musket ball which was fired through it by a reckless soldier. Often, too, cannon were discharged at the houses; and there is a log-house now standing not far from Ebenezer, which was perforated by several cannon shot. . . . The Salzburgers endured all these hardships and indignities with becoming fortitude; and though a few were overcome by these severe measures, yet the great mass of them remained firm in their attachment to the principles of liberty."[1]

Having completed his arrangements for the occupation of all important posts along the line of the Savannah River for a distance of fifty miles above Savannah, and having overrun and reduced into submission the territory adjacent to the late capital of Georgia, Colonel Campbell was just turning his attention to the capture of Sunbury when he received the intelligence of its surrender to the arms of General Augustine Prevost. That officer, in obedience to orders issued by Sir Henry Clinton on the 20th of October, 1778, and received by him on the 27th of the ensuing November, so soon as he was advised of the arrival off the Georgia coast of the transports conveying Colonel Campbell's command, set out for Sunbury with all the troops which could be spared from the forces concentrated for the defense of St. Augustine and its castle. This expeditionary corps numbered rather more than two thousand men. His artillery and ammunition, with a strong guard, were transported in open boats, which, to avoid falling in with the American galleys, proceeded cautiously through the inland passages. The Colonel's Island, a few miles below Sunbury, was reached at ten o'clock on the morning of the 6th of January. By a forced march, Lieutenant-Colonel Prevost with his light infantry enveloped the town on the 7th to prevent the escape of its garrison. The following day General Prevost arrived with the main body of his army. Two American galleys and an armed sloop, lying in Midway River, cannonaded the enemy, but without effect. On the night of the 8th, taking advantage of a low tide, the British, coming up from Colonel's Island in their boats, passed behind the marsh island[2] in front of the fort, and landed some howitzers and royals above the town. These were placed in position in batteries prepared for their re-

[1] Strobel's *Salzburgers and their Descendants*, pp. 203, 207.

[2] This island, lying in front of Sunbury, divides Midway River into two channels, known respectively as the Front and Back rivers.

ception. On the morning of the 9th General Prevost summoned the fort to an unconditional surrender, accompanying his demand with a statement of his forces and a memorandum of his guns. Major Lane, commanding, responded that his duty, his inclination, and the means at hand convinced him of the propriety of defending Fort Morris against any force, no matter how superior it might be. General Prevost thereupon opened his batteries, to which Major Lane responded until he discovered that the fort was rapidly becoming untenable. He then parleyed to obtain terms better than those involved in an unconditional surrender. None other would be accorded, and the time having elapsed within which he was required to signify either his acceptance or rejection, hostilities recommenced. Again did he parley, asking that he might be allowed until eight o'clock the next morning to consider the conditions offered. This request being peremptorily refused, Major Lane surrendered unconditionally the fort and its garrison. Seventeen commissioned officers and one hundred and ninety-five non-commissioned officers and privates — continental troops and militia included — constituted the garrison which then capitulated. Twenty-four pieces of brass ordnance, one brass seven-inch mortar, twenty pieces of iron ordnance, eight hundred and twenty-four round shot of various sizes, one hundred stands of case and grape shot, thirty shells, fifty hand-grenades, one hundred and eighty muskets with bayonets, twelve rifles, forty fusees and carbines, four wall-pieces, and a considerable quantity of powder and small arm ammunition fell into the hands of the enemy.[1]

Among the Americans one captain and two privates were killed, and six men were wounded. The loss of the enemy was still smaller, amounting to only one private slain and three wounded.

The Washington and Bulloch galleys ran down to Ossabaw Island where they were stranded on the beach and burned. Their crews, taking passage on Captain Salter's sloop, and sailing for Charlestown, were captured by a British tender and carried to Savannah. Captain John Lawson with his sloop Rebecca, of sixteen guns, succeeded in reaching Charlestown in safety.[2]

The cannonading at Sunbury was heard by the American forces

[1] See Stedman's *History of the American War*, vol. ii. p. 104. London. 1794. McCall's *History of Georgia*, vol. ii. p. 178. Savannah. 1816. *Gentleman's Magazine* for 1779, p. 181.

[2] McCall's *History of Georgia*, vol. ii. p. 179. Savannah. 1816.

at Purrysburg. General Moultrie, in a letter to Colonel C. C. Pinckney, dated at that town on the 10th of January, 1779, says: "I fear we have lost Sunbury and the two gallies that took shelter under that battery last Thursday or Friday, as we heard a very heavy cannonade from that quarter. The officer commanding had about 120 Continentals and some inhabitants within the fort. He refused to evacuate the post. Notwithstanding his receiving positive orders for that purpose, he, Don Quixote like, thought he was strong enough to withstand the whole force the British had in Georgia, for which I think he deserved to be hanged."

Having detailed a garrison for the fort, the name of which he ordered changed from *Morris* to *George*, and having directed necessary repairs to be made, General Prevost proceeded to Savannah and assumed command of all his majesty's forces in Georgia. The continental officers captured at Savannah, with the exception of such as were immured in prison-ships, were sent to Sunbury for safe keeping. Southern Georgia was now in a wretched condition. Unable to support themselves amid the destitution, demoralization, and restrictions to which the region was subjected, many of the inhabitants set out for Carolina where, aided by the charity of strangers, they hoped to subsist until the coming season afforded an opportunity for planting and harvesting crops in their new homes. Others, possessing the means of subsistence, were so hampered by royal proclamations and were so preyed upon by foreign and domestic foes that they abandoned the country in quest of peace and security.

In its capture by General Prevost Sunbury experienced a shock from which it never recovered. Its prosperity, population, and commercial importance culminated during the early years of the Revolutionary War when its inhabitants, white and black, numbered, we should say, nearly a thousand. It had long been a favorite resort both for health and trade. That, until impeded by the retarding influences of the Revolutionary struggle, Sunbury had steadily advanced in material wealth, influence, and population may be safely asserted. Bermuda Island, too, was comfortably settled by agriculturists, on small plantations, busied chiefly with the production of indigo. Sunken spaces, indicating where the old vats were located, may be seen to this day. A rich and by no means inconsiderable back country was entirely tributary to this town. Rice, cattle, lumber, shingles, staves, and other articles of commerce, brought from the furthest

practicable distances, were here concentrated for sale and shipment. Quite an extensive territory drew its supplies from the storehouses and shops of the Sunbury merchants. On one or two occasions cargoes of Africans were landed and sold in this port. The houses, although almost exclusively of wood, were some of them large and even imposing. The wharves were faced with palmetto and live-oak logs, and filled in with oyster shells, sand, and stone-ballast. Among the residents were not a few of gentle birth, refinement, and education. As a rule, the inhabitants led easy, comfortable, simple lives, and were much given to hospitality. No one was ever in a hurry, and the mornings and afternoons, among the better class, were largely devoted to amusements, such as fishing, sailing, riding, and hunting. The evenings were spent in visiting and in social intercourse. It was a good, easy life which these planters, even at that early day, began to lead upon the Georgia coast. It became even more attractive after the Revolution; but the delightful germs of the most pleasing existence this country has ever known were then present.

Augusta alone of all the rebel posts in Georgia had not yet submitted to the royal arms. It was occupied by a provincial force under Brigadier-General Williamson, and its reduction was necessary to complete the subjugation of Georgia. About the middle of January, 1779, Colonel Campbell was detached with a column about a thousand strong to capture this town. The Savannah River was now the dividing line between the contending armies. General Lincoln was at Purrysburg on the north side of the river with a force of some five hundred continentals and two thousand provincials. The main body of the enemy was at Abercorn. In Savannah were one thousand Hessians. At the Two Sisters there was a detachment of six hundred men. Two hundred more guarded Zubly's ferry, and at Ebenezer a considerable force was stationed.[1] So near were the two armies that, in the language of General Moultrie writing from Purrysburg, "we hear their drums beat every morn from our outposts; nay, hear their sentinels cough."

Although anxious to inaugurate a movement for the relief of Georgia, the American commander found himself too weak to cross the river. His troops were in large measure undisciplined, and lacked arms. The North Carolina levies, under the com-

[1] See *Letter of General Moultrie to Colonel C. C. Pinckney*, dated Purrysburg, January 16, 1779.

mand of General Richardson, were discontented and on the eve of returning home. From Georgia came no recruits. "Most of the inhabitants of that State," reports General Moultrie, "have submitted quietly to the British government, and I believe they will remain neutral unless we go in with a considerable body so as to insure success." All that General Lincoln could do, under the circumstances, was to act upon the defensive, encourage reinforcements, and prevent the enemy from crossing over into Carolina.

Advancing for the capture of Augusta, Colonel Campbell sent forward Colonels Brown and McGirth with four hundred mounted militiamen to make a forced march to the jail in Burke County and there form a junction with Colonel Thomas and his party of loyalists.

Advised of this movement, Colonels John Twiggs and Benjamin and William Few quickly concentrated an opposing force of two hundred and fifty mounted men. Attacked by Brown and McGirth, they succeeded in repulsing them, inflicting a loss of five killed, several wounded, and nine captured. Expecting that Brown would speedily be supported by Colonel Campbell, the Americans withdrew, maintaining, however, a close watch upon the enemy. Rallying his troops, and being reinforced by a party of Royalists from South Carolina under the command of two Tory majors, and a detachment led by Major Harry Sharp, Brown determined to renew the attack. In the second engagement he and McGirth were defeated, sustaining a loss greater than that encountered two days before. Among the wounded was the noted Tory leader of the expedition. In this skirmish Captain Joshua Inman, commanding a troop of American horse, slew three of the enemy with his own hand.[1]

General Elbert, who had been ordered by General Lincoln to proceed to the upper part of Carolina, crossing the Savannah River came to the assistance of Twiggs and the Colonels Few. Together they disputed, but were not strong enough to prevent, Colonel Campbell's crossing at Brier Creek. Hoping to be reinforced by Colonel Andrew Williamson from Carolina and Colonel Elijah Clarke from Wilkes County, they retired slowly, skirmishing with Campbell's column as it advanced upon Augusta. Those officers, however, were otherwise engaged and could not respond to the expectation. Upon his appearance before the town the American forces retreated across the river and

[1] McCall's *History of Georgia*, vol. ii. p. 191. Savannah. 1816.

yielded Augusta without a struggle. Tarrying there but a few days, and leaving Colonel Brown in command, Colonel Campbell, early in February, marched some thirty miles in the direction of Wilkes County, and detached Lieutenant-Colonel Hamilton, with two hundred mounted infantry, to proceed to the frontiers of Georgia and there encourage such of the inhabitants as were attached to the British government. The disaffected were to be summarily disarmed. Thus, for the moment, was Georgia completely in the possession of the king's forces. Overt opposition ceased, and it was believed by Colonel Campbell that the population would permanently yield to this enforced submission. Wherever British detachments appeared the severest penalties were meted out to those who refused to take the oath of allegiance. For the possessions of such as were absent in arms plunder and the torch were always in store.

So soon as it was known in Wilkes County that Augusta had passed into the possession of the enemy, the inhabitants who were able to remove, hastily collecting their household effects and cattle, fled into Carolina. Those who remained betook themselves to forts, and associated together in small bands for mutual protection. Many, having lodged their wives, children, and servants in places of security, assembled under Colonel John Dooly on the Carolina shore of the Savannah River, about thirty miles above Augusta. McGirth, with three hundred loyalists, was occupying a position on Kiokee Creek. Both parties were watching the ferries and collecting all boats found on the Savannah River. Returning to Georgia with a part of his command, Dooly was quickly pursued by Lieutenant-Colonel Hamilton, who pressed him so closely that he fired upon his rear as he recrossed the Savannah just below the mouth of Broad River.

Having driven the rebels from that portion of the State, Hamilton encamped with one hundred men on Water's plantation, three miles below Petersburg. Dooly, with like force, was just opposite in South Carolina. There he was joined by Colonel Andrew Pickens, who brought with him two hundred and fifty men of his regiment. Although the senior in rank, Colonel Dooly yielded the command in deference to the fact that Pickens had contributed more than two thirds of the troops constituting this little army. With this united force it was resolved to attack Hamilton without delay. Accordingly, on the night of the 10th of February, Pickens and Dooly crossed the Savannah at Cowen's ferry, three miles above Hamilton's encampment, and prepared

to charge the enemy early the next morning. To their surprise and regret they found that the British officer, in entire ignorance of the impending danger, had departed on an excursion through the country to visit its forts and administer oaths of allegiance to such of the inhabitants as he chanced to meet. Conjecturing that Carr's Fort would be the first point visited by the enemy, Captain A. Hamilton was directed, with a guide, to proceed rapidly to that point and arrange for its defense with such men as he might find there congregated. Pickens and Dooly, moving with their command, intended to fall upon the rear of Lieutenant-Colonel Hamilton as he should be engaged in an effort to reduce the fort. Captain Hamilton arrived in season to execute the order with which he was charged, but found that there were only seven or eight aged and infirm men in Carr's Fort who, dreading the consequences, refused to undertake the defense of that post. The Americans were so close upon the heels of the British as they entered and took possession of the fort that they were compelled to leave their horses and baggage outside the stockade. A brisk fire was opened on both sides, but without effect. A siege was determined on; and, in order to cut the besieged off from all access to water, Captain William Freeman, with forty men of his company, in gallant style dashed through an open space exposed to the guns of the fort, and took possession of a newly constructed log house which effectually commanded the only source whence the enemy could hope to obtain a supply of water.

Early in the evening the horses and baggage of the British were brought off, and every avenue of escape was occluded. The same afternoon the fort was summoned to a surrender. While refusing to accede to this summons Lieutenant-Colonel Hamilton requested that the women and children within the stockade might be allowed to depart. This application was denied. Without food and water it was confidently believed that the enemy could not hold out more than twenty-four hours. Moreover, the possession of the log house near the water gave the assailants command of the tops of the huts inside the fort whence the most injurious fire proceeded. The happy anticipations of the Americans were doomed to disappointment. About ten o'clock at night Colonel Pickens received, at the hands of Captain Ottery, a dispatch from his brother, Captain Joseph Pickens, informing him that Colonel Boyd, with eight hundred loyalists, was moving through Ninety-Six District toward Georgia, destroying by fire

and sword whatever lay in his path. It was deemed proper, without delay, to raise the siege and move against Boyd. A proposition was made by some volunteers to apply the torch to the fort at several points at the same time, and thus to compel quick surrender. In tender consideration of the women and children who were within, the idea was abandoned. Carrying off their wounded, the Americans departed leaving Lieutenant-Colonel Hamilton in the fort without horses and baggage. As soon as Pickens and Dooly were out of hearing, he quitted Carr's Fort, retreating upon Wrightsborough, where he occupied a small stockade fort for a few days and then rejoined Colonel Campbell at Augusta. In the affair at Carr's Fort the British lost nine killed and three wounded. The American casualties amounted to five killed and seven wounded.

Retiring from Carr's Fort the Americans recrossed the Savannah River near Fort Charlotte and advanced toward the Long Cane settlement to meet Colonel Boyd. Hearing of his advance, Captain Robert Anderson, of Colonel Pickens' regiment, summoning to his aid Captains Joseph Pickens, William Baskin, and John Miller, with their companies, crossed the Savannah River with a view to annoying Boyd when he should attempt the passage of that stream. He was subsequently joined by some Georgians under Captain James Little. This accession increased his force so that he had, present for duty, nearly one hundred men. In order to avoid Pickens and Dooly, Colonel Boyd changed his route and approached the river at the Cherokee ford. Here, upon a commanding elevation, was a block house mounting two swivel guns and garrisoned by a lieutenant and eight men. A quiet passage having been demanded and refused, Boyd proceeded up the river about five miles, and there placing his men and baggage on rafts, and swimming his horses, effected a crossing. His instructions to his men were to land at different points on the opposite shore. This circumstance, in connection with the tall canes growing along the river bank, so confused the small force under Captain Anderson that it did not render an opposition as effectual as might have been expected. That the passage of the river was sharply contested, however, will be readily conceded when we remember that the Americans lost sixteen killed and wounded and an equal number of prisoners. Among the latter were Captains Baskin and Miller. Colonel Boyd acknowledged a loss of one hundred killed, wounded, and missing.

Retreating rapidly, Captain Anderson formed a junction with

Colonels Pickens and Dooly and united in the pursuit of the enemy. On the 12th of February, passing the Savannah River at the Cedar shoal, the Americans advanced to the Fish Dam ford, on Broad River. The command had now been reinforced by Colonel Clarke and one hundred dragoons. Captain Neal, with a party of observation, was detached to hang upon the enemy's rear, and, by frequent couriers, keep the main body well advised of Boyd's movements.

Shaping his course to the westward, and purposing a junction with McGirth at a point agreed upon on Little River, the enemy on the morning of the 13th crossed Broad River, near the fork, at a place subsequently known as Webb's Ferry. Informed of this movement, the Americans passed over Broad River and encamped for the night on Clarke's Creek, within four miles of the loyalists. Early on the morning of the 14th the Americans advanced rapidly but cautiously. Wherever the surface of the country permitted, their line of march was the order of battle. A strong vanguard moved one hundred and fifty paces in front. The right and left wings, consisting each of one hundred men, were commanded respectively by Colonels Dooly and Clarke. The centre, numbering two hundred men, was led by Colonel Pickens. Officers and men were eager for the fray and confident of victory. Soon the ground was reached where the enemy had encamped during the preceding night.

Seemingly unconscious of the approach of danger, the loyalist commander had halted at a farm on the north side of Kettle Creek, and turned out his horses to forage among the reeds which lined the edge of the swamp. His men, who had been on short allowance for three days, were slaughtering bullocks and parching corn. Colonel Boyd's second officer was Lieutenant-Colonel Moore, of North Carolina, who is said to have been deficient both in courage and in military skill. The third in command, Major Spurgen, was brave and competent.

As Colonel Pickens neared the enemy, Captain McCall was ordered to reconnoitre his position, and, unperceived, to acquire the fullest possible information of the status of affairs. Having completed his observations, that officer reported the encampment formed at the edge of the farm near the creek, on an open piece of ground flanked on two sides by a cane swamp, and that the enemy was apparently in utter ignorance of any hostile approach. The Americans then advanced to the attack. As they neared the camp the pickets fired and retreated. Hastily form-

ing his line in rear of his encampment, and availing himself of the shelter afforded by a fence and some fallen timber, Boyd prepared to repel the assault. Colonel Pickens, commanding the American centre, obliqued a little to the right to take advantage of more commanding ground. The right and left divisions were somewhat embarrassed in forcing their way through the cane, but soon came gallantly into position. Colonel Boyd defended the fence with great bravery, but was finally overpowered and driven back upon the main body. While retreating he fell mortally wounded, pierced with three balls, two passing through his body and the third through his thigh.

The conflict now became close, warm, and general. Some of the enemy, sore pressed, fled into the swamp and passed over the creek, leaving their horses, baggage, and arms behind them.

After a contest lasting an hour the Tories retreated through the swamp. Observing a rising ground on the other side of the creek and in rear of the enemy's right on which he thought the loyalists would attempt to form, Colonel Clarke, ordering the left wing to follow him, prepared to cross the stream. At this moment his horse was killed under him. Mounting another, he followed a path which led to a ford and soon gained the side of the hill, just in time to attack Major Spurgen who was endeavoring to form his command upon it. He was then accompanied by not more than a fourth of his division, there having been some mistake in extending the order. The firing, however, soon attracted the attention of the rest of his men, who rushed to his support. Colonels Pickens and Dooly also pressed through the swamp and the battle was renewed with much vigor on the other side of the creek. Bloody and obstinate was the conflict. For some time the issue seemed doubtful. At length the Americans obtained complete possession of the hill; and the enemy, routed at all points, fled from the scene of action leaving seventy of their number dead upon the field, and seventy-five wounded and captured. On the part of the Americans nine were slain and twenty-three wounded. To Colonel Clarke great praise is due for his foresight and activity in comprehending and checking, at its earliest stage, the movement of the loyalists beyond the swamp. Had they succeeded in effecting a permanent lodgment upon the hill, the fortunes of the day would have proved far otherwise. This engagement lasted for one hour and forty-five minutes, and during most of that time was hotly contested.

As the guard having charge of the prisoners captured when

Boyd crossed the Savannah River heard of the disaster which had overtaken the main body, they voluntarily surrendered themselves, thirty-three in number, to those whom they held in captivity, promising, if allowed to return in peace to their homes, to take the oath of allegiance to the government of the Confederated States.

The battle ended, Colonel Pickens waited upon Colonel Boyd and tendered him every relief in his power. Thanking him for his civility, the loyalist chief, disabled by mortal wounds and yet brave of heart, inquired particularly with regard to the result of the engagement. When told that the victory rested entirely with the Americans, he asserted that the issue would have been different had he not fallen. During the conversation which ensued he stated that he had set out upon this march with eight hundred men. In crossing the Savannah River he sustained a loss of one hundred in killed, wounded, and missing. In the present action, he had seven hundred men under his command. His expectation was that McGirth with five hundred men would form a junction with him on Little River either that very afternoon or on the ensuing morning. The point named for this union of forces was not more than six miles distant from the place where this battle had been fought. Alluding to his own condition he remarked that he had but a few hours to live, and requested Colonel Pickens to detail two men to furnish him with water and to inter his body after death. Delivering to that officer certain articles of value which he had upon his person, he asked the favor that they be forwarded to his wife with a letter acquainting her with the circumstances of his demise and burial. These dying injunctions were carefully observed. He was a corpse before morning.

Dispirited by the loss of their leader, and stunned by the heavy blow which had fallen upon them in an unexpected moment, the followers of this dangerous chieftain scattered in various directions. Some fled to Florida; others betook themselves to the Creek nation; others still sought refuge among the Cherokees; others returned to their homes and craved mercy at the hands of the patriots; while a remnant, under the command of Colonel Moore, numbering some two hundred, retreated to Augusta.

Dismayed at the defeat which had overtaken Colonel Boyd, and pausing not to retrieve the fortunes of the day, McGirth fled precipitately to Augusta and rejoined the forces under Colonel

Campbell. The prisoners captured at Kettle Creek were carried to South Carolina, tried, found guilty of treason, and sentenced to death. Only five of the most noted offenders were executed. The others were pardoned. Departing from the field of action the Americans encamped for the night in a locality near the present town of Washington and, on the 15th, recrossed the Savannah River. In the affair at Carr's Fort and in the engagement at Kettle Creek the Americans possessed themselves of some six hundred horses and a large quantity of arms, equipments, and clothing. This accession to the scanty stores of the patriots was most opportune and valuable. In the general gloom which was encompassing all, this victory shone like a star of substantial hope, dissipating despair and enkindling confidence in the hearts of the Revolutionists. From the banks of this insignificant stream, rendered historic by the prowess of Pickens, Dooly, Clarke, and their valiant followers, there arose a martial shout which proclaimed the restoration of Whig ascendency in Upper Georgia and the discomfiture of the Royalist cohorts. With no uncertain sound did the bugle-blasts then blown summon to further feats of patriotic emprise, and admonish the king's officers that Georgia was not wholly within their grasp.

This battle was quickly followed by movements which, although partial in their character, indicated that the love of liberty and the spirit of resistance were abroad in the land. Advancing with a portion of his brigade and some of the Georgia militia, General Andrew Williamson encamped not far from Augusta, on the Carolina side of the Savannah River. Colonel Leonard Marbury, with fifty dragoons and a body of militiamen, took post near Brownsborough. Colonel John Twiggs, having assembled the militia of Richmond County and passed in rear of the British occupying Augusta, surprised one of their outposts at Herbert's, where seventy men were stationed. In the assault several of the assailed were killed and wounded and the rest forced to an unconditional surrender.

A reconnoitring party of twenty of the king's rangers, under the command of Captain Whitley and Lieutenants McKenzie and Hall, was sent to Brownsborough to ascertain if there was an American force assembling in that quarter. Through his scouts obtaining information of Whitley's position and force, Colonel Marbury detached Captain Cooper with twelve dragoons to gain the enemy's rear while he advanced in front. So rapidly did Cooper execute this order that he surprised Whitley and his

party at dinner, and captured the whole of them before Colonel Marbury came up. Hall, who was a native of South Carolina, had formerly been in the American service. While in command of a small fort on the frontier of that State he treacherously surrendered it to the Cherokee Indians, and permitted, without remonstrance, every man, woman, and child within its walls to be butchered by the savages. He was now sent to the jail at Ninety-Six for safe keeping. In due season he was tried, found guilty of treason, and condemned to be hung. The death penalty was visited upon him on the 17th of April. He miserably perished, confessing his crimes and acknowledging the justice of his sentence.[1]

In the disturbed state of affairs, instances of personal daring and hairbreadth escapes were not infrequent. Desirous of acquiring a definite knowledge of the force and position of the enemy in Augusta, General Elbert sent Lieutenant Hawkins to obtain the necessary information. While nearing an outpost he was overtaken at Bear Swamp by three Tories. To avoid them was impossible. Advancing resolutely towards them, he inquired who they were and whither they were going. The answer was that they were on their way to join Colonel Daniel McGirth. Hawkins, who was wearing an old British uniform, responded that he was McGirth; that he believed they were rebels, and that he should proceed to hand them over to his party, near at hand. They protested to the contrary, and, to demonstrate the truth of their assertion, at Hawkins' suggestion, placed their rifles upon the ground and held up their right hands. As they did this, Lieutenant Hawkins advanced upon them with pistols cocked and presented. Taking up their rifles, he ordered them to march in front of him, threatening to shoot the first who attempted to turn. In this manner did he conduct them to the American camp.[2]

The Tories in Upper Georgia having been completely routed, and the Americans daily becoming more formidable in numbers and pronounced in their demonstrations, Colonel Campbell determined to evacuate his advanced position at Augusta. Accordingly, late in February, he commenced his retreat, which did not terminate until he reached Hudson's ferry on the Savannah River, where Lieutenant-Colonel Prevost had constructed a fortified camp and mounted some field artillery. In the end, so sud-

[1] See McCall's *History of Georgia*, vol. ii. pp. 194–205. Savannah. 1816.

[2] See Stevens' *History of Georgia*, vol. ii. p. 193. Philadelphia. 1859.

denly did he quit Augusta that he paused not to destroy a considerable quantity of provisions which he had there accumulated. During this retrograde movement he was much annoyed by the Americans, who, in small bodies, harassed his command in flank and rear.





CHAPTER XVIII.

Fruitless Effort to compass an Exchange of Prisoners. — Prevost invades South Carolina. — He is Driven Back. — Position of the American Forces. — A Council of War, convened by General Lincoln, recommends an Advance for the Relief of Georgia. — Colonel Campbell resolves to thwart this Movement. — Major McPherson and Lieutenant-Colonel Prevost detached to surprise General Ash in the Angle formed by the Confluence of Brier Creek and the Savannah River. — Defeat of the Americans. — General Ash's Dispatch to General Lincoln. — General Moultrie's Comments. — Gallantry of General Elbert. — General Ash's Conduct investigated by a Court of Inquiry. — Strength and Position of the Enemy. — Commissioners take Possession of Captured and Abandoned Rebel Property. — Pickens, Dooly, Clarke, Few, Hammond, and Ross defeat the Creek Indians led by Tate and McGillivray. — Capture of the American Galleys Congress and Lee. — Wretched Treatment of American Prisoners. — Lincoln again contemplates a Movement for the Relief of Georgia. — His Purpose delayed by Prevost's Demonstration against Charlestown. — Dr. Ramsay's Account of the British Depredations. — Exploit of Captain Spencer. — Colonel Twiggs defeats Captain Muller. — Major Baker puts Captain Goldsmith to Flight. — Robert Sallette. — McGirth routed by Colonel Twiggs at Lockhart's Plantation.

Moved by the sufferings and the privations to which American prisoners were subjected, and anxious to alleviate the miseries of all who were confined both on land and in ships, General Lincoln addressed a communication to Colonel Campbell, then *en route* for Augusta, proposing a conference at Zubly's ferry with a view to arranging a cartel for the exchange of prisoners, and the parole of commissioned officers pending the consummation of that contemplated exchange. Consent for a negotiation having been signified by the British commander, Lieutenant-Colonel James M. Prevost was nominated on the part of the English authorities to confer on this subject with Major Thomas Pinckney selected in behalf of the Americans. They met on the 31st of January, 1779.

The proposition advanced by Colonel Prevost was that not only the regular troops and the militia captured with arms in

their hands should be deemed proper subjects for exchange, but also "men found on their farms without regard to age, and all males who had taken the oath of allegiance and applied to the Crown for protection." To this Major Pinckney responded that continental officers and soldiers, and all militiamen who were willing to bear arms again in the service of the Confederated States, were fit subjects for exchange for officers and soldiers in the British army of corresponding rank; but that the aged, and those who desired to retire from active strife and lead peaceful lives on their farms, acknowledging allegiance to the British government, could only be paroled.

For five days was the negotiation prolonged. It was found impossible to arrive at a definite agreement, and thus the matter ended. Prisoners refusing to enlist in the British service were sent by Sir Hyde Parker to New York. So rigorous was the confinement in which they were placed, and so scant were the necessaries doled out to them, that about one third of their number pined away and died in captivity. With this sad and unjustifiable result the Americans were not chargeable.

While Colonel Campbell was seeking to extend the supremacy of the king in the upper portions of Georgia, General Prevost attempted to effect a lodgment in South Carolina. For this purpose Major Gardiner, with two hundred men, was detached to take possession of Port Royal Island. Early in February he was attacked by General Moultrie and forced to abandon the enterprise.[1]

Upon the retreat of Colonel Campbell from Augusta General Ash, with some twenty-three hundred men, crossed the Savannah River at that point and pursued the enemy as far as Brier Creek. There he halted and encamped in the angle formed by that stream and the Savannah River.

General Lincoln was still at Purrysburg where he had gathered about him between three and four thousand troops. General Rutherford, with some seven or eight hundred men, was encamped at Williamson's house on Black Swamp. General Williamson, with his division of twelve hundred, was at Augusta. Finding himself in command of an army about eight thousand strong, General Lincoln resolved to inaugurate an offensive movement in order either to expel the enemy from Georgia or to

[1] See *Letter of General Moultrie to General Lincoln*, dated Beaufort, South Carolina, February 4, 1779. Ramsay's *History of the Revolution of South Carolina*, vol. ii. p. 12. Trenton. MDCCLXXXV.

confine him within very narrow limits along the coast. A council of war was called at General Rutherford's quarters on the 1st of March, 1779, to concert suitable measures for future operations. Generals Lincoln, Moultrie, Ash, and Rutherford were present. It was agreed that with the exception of a guard left at Purrysburg to watch the movements of the enemy, all the available troops of the army should be rapidly concentrated upon the position then occupied by General Ash with a view to an onward march for the recovery of Georgia. In this council General Ash expressed himself as being entirely safe: asserting that his camp on Brier Creek was secure; that the enemy appeared to be afraid of him, apprehending that his numbers were greater than they really were; and that all he required was a detachment of artillery with one or two field-pieces. This want was immediately recognized by General Lincoln who ordered Major Grimkie, with two light guns and sufficient cannoneers, to proceed to his assistance.[1]

Aware of the intentions of General Lincoln, Colonel Campbell determined, by a rapid blow, to defeat the purposed concentration of the American forces and to frustrate these plans for circumscribing the king's troops in their occupation of Georgia soil. It was resolved at once to dislodge General Ash.

Major McPherson, with the first battalion of the 71st regiment, some irregulars, and two field-pieces, was ordered to advance towards Brier Creek bridge to attract the notice of the Americans and mask the main movement, which Lieutenant Colonel Prevost was to conduct in person. That officer taking with him the second battalion of the 71st regiment, Sir James Baird's corps of light infantry, three grenadier companies of the 60th regiment, Captain Tawe's troop of light dragoons, and about one hundred and fifty men of the Florida Rangers and militia, numbering in all about nine hundred men, made a detour of between forty and fifty miles to cross Brier Creek above the point occupied by Ash and fall upon his rear.[2] Having moved up the south side of Brier Creek, Colonel Prevost, early on the morning of the 2d of March, reached the point where he expected to cross that stream. Finding that the bridge had been destroyed, he was forced to construct another. Considerable delay occurred, and evening came on before the light infantry

[1] Moultrie's *Memoirs*, vol. i. p. 322. New York. 1802.

[2] See General A. Prevost's letter, dated Ebenezer in Georgia, March 5, 1779. *Gentleman's Magazine* for 1779, p. 213.

and cavalry effected a passage. They were ordered to advance and cut off all communication with the American camp. By daylight the next morning the rest of the troops and the artillery crossed the creek and proceeded in the direction of Ash's army. Unconscious of Prevost's approach, General Ash detailed Major Ross, of South Carolina, with three hundred horsemen, to cross Brier Creek and reconnoitre the enemy's position at Hudson's ferry, thirteen miles distant. He was expecting to be reinforced by General Rutherford, and his intention was to attack the enemy at an early moment if Major Ross should report the scheme feasible. Ross caught sight of a part of McPherson's command, but did not deem the matter of sufficient importance to report the movement to the general.

Colonel Leonard Marbury, who, with his dragoons, was guarding the upper passes of Brier Creek, exchanged shots with the enemy as they passed at Paris' Mill. An express was sent to acquaint General Ash with this circumstance, but he fell into the hands of the enemy. Through General Elbert was intelligence of Marbury's rencontre conveyed to the American camp.

The first positive information which Ash received of Prevost's demonstration in his rear was transmitted by a courier from an advanced party of Williamson's command. This was quickly confirmed by a messenger from Colonel Smith who was in charge of the baggage guard.

General Ash's command in camp had been so reduced by detachments on duty at other points and upon special service that it did not exceed eight hundred men.[1] A mile in advance of his camp, and at the bridge where the main road crossed Brier Creek, a guard of one hundred men was posted. Within supporting distance was the light infantry with one four-pounder gun.

Cognizant of the near approach of the British, General Ash ordered the long roll to be beaten. As the men fell in it was discovered that even at that late hour the militia had to be supplied with ammunition. Miserably were they equipped, some appearing with rifles, others with shot guns, a few with muskets, and some without arms. Line of battle was formed in three divisions; the right under the command of Colonel Young, the centre under General Bryant, and the left, consisting of sixty continental troops, one hundred and fifty Georgia militia, and a field-piece, under the command of General Elbert assisted by

[1] McCall's *History of Georgia*, vol. ii. p. 210. Savannah. 1816.

Lieutenant-Colonel John McIntosh. The vanguard of the enemy having driven in the American pickets at three o'clock in the afternoon, Prevost prepared for action. His light infantry, with two field-pieces, was formed on the right with instructions to follow a road leading to the American camp. His centre, composed of the second battalion of the 71st regiment and some Florida Rangers and Carolina loyalists, was preceded by a section of light artillery. His left, consisting of one hundred and fifty dragoons, was directed to turn the American right. Three companies of grenadiers and a troop of fifty dragoons were held in reserve four hundred yards in the rear. At a pass by which it was feared the Americans might attempt to turn the British left and gain their rear fifty riflemen were posted in ambush.

His line of battle having been formed, General Ash advanced to a position about a quarter of a mile in front of his encampment and there awaited the enemy's attack, his left resting upon Brier Creek and his right extending to within eight hundred yards of the Savannah River swamp. At four o'clock Colonel Prevost, when within one hundred and fifty yards of the Americans, opened the engagement with his artillery and pressed forward. Ash's centre, which was thrown a little forward, did not withstand the shock five minutes. It broke and fled in wild confusion. The right, so soon as it was attacked, followed suit. The left alone remained, and, under General Elbert, fought so stubbornly that Prevost found it necessary to order up his reserves to support his right which was opposed to this gallant body of men. Notwithstanding the great disparity in the contending forces, Elbert prolonged the conflict until nearly every man of his command was either killed, wounded, or captured. Those constituting the American centre and right took refuge in the deep swamp bordering upon the Savannah River. Such of them as could swim escaped to the Carolina shore. Many were drowned in the attempt. Colonel Prevost says one hundred and fifty Americans[1] were killed upon the field and in the adjacent swamp, and that Brigadier-General Elbert, "one of their best officers," twenty-seven other officers, and two hundred men were taken prisoners. In this estimate he does not include "officers

[1] Captain McCall estimates the entire loss of the Americans as follows: killed and drowned, one hundred and fifty; and twenty-seven officers and one hundred and sixty-two non-commissioned officers and privates captured.

General Prevost's return, furnished to General Lincoln about the 10th of March, presents the names of 24 officers and 162 non-commissioned officers and privates captured by the British at Brier Creek.

and men drowned in attempting to save themselves from the slaughter by plunging into a deep and rapid river." The British loss, marvelous to relate, amounted to only five privates killed and one officer and ten privates wounded.

Seven pieces of field artillery, a considerable quantity of ammunition, provisions, and baggage, and one thousand small arms[1] fell into the hands of the victors. The number of slain would seemingly claim credence for the report, which has been handed down, that in their pursuit of the fugitive Americans Sir James Baird cried aloud to his light infantry, "Every man of you that takes a prisoner shall lose his ration of rum." Not a few of the militia seeking refuge in the Savannah swamp were cruelly bayoneted by the exultant British soldiery.

Never was encampment more injudiciously located or command held in such wretched plight for action. The only ray of light amid the gloom of the whole affair is shed by the gallantry of Colonel Elbert and his command. From Matthew's Bluff, on the evening of the day on which this catastrophe occurred, General Ash, who appears to have been outstripped by none in rapid flight from the scene of conflict, penned this unsatisfactory dispatch to Major-General Lincoln: —

"SIR, — I am sorry to inform you that at 3 o'clock P. M. the enemy came down upon us in force; what number I know not. The troops in my division did not stand fire five minutes. Many fled without discharging their pieces. I went with the fugitives half a mile, and finding it impossible to rally the troops I made my escape into the river swamp and made up in the evening to this place. Two officers and two soldiers came off with me. The rest of the troops, I am afraid, have fallen into the enemy's hands as they had but little further where they could fly to. Luckily Major Grimkie had not got the artillery out of the boat, so that I shall keep them here with Gen: Rutherford's brigade to defend this pass until I receive further orders from you. This instant Gen: Bryant and Col: Perkins arrived. Col: Eaton[2] was drowned crossing the river.[3]

"Since writing the above a number of officers and soldiers have arrived. We have taken a man who says he was taken by them and would not take their oath and was formerly under Lee to the northward. He informed there were 1,700 Red coats in

[1] Moultrie's *Memoirs*, vol. i. p. 375. New York. 1802.

[2] Colonel Eaton was not drowned, but was the first who gave General Lincoln an account of the defeat.

[3] The Savannah.

the action, also a number of new levies from New York, Georgia militia, and Florida scouts: that 1,500 men had marched up to Augusta to fortify that place: that they are fortifying Hudson's very strongly: that the day before they marched off, 7,000 men had arrived from New York. Gen: Bryant and Rutherford are of opinion that it is better to retreat to your quarters: therefore I am inclined to march to-night when we get all our fugitives over."

After this fashion does General Moultrie allude to and comment upon this most unfortunate occurrence: "Gen. Ash's affair at Brier-Creek was nothing less than a total rout. Never was an army more completely surprised, and never were men more panic struck as Gen. Ash's letter and the evidences at the Court show. The poor fellows! Most of them threw down their arms and ran through a deep swamp 2 or 3 miles to gain the banks of a wide and rapid river,[1] and plunged themselves in to escape from the bayonet. Many of them endeavoring to reach the opposite shore sunk down and were buried in a watery grave, while those who had more strength and skill in swimming gained the other side, but were still so terrified that they straggled through the woods in every direction. A large body of them were stopped early the next morning at Bee's Creek bridge, about 20 miles, by a detachment of the second regiment under Captain Peter Horry, marching to camp, who told me he had just heard of the affair at Brier-Creek and saw a large body [2 or 300] of the fugitives coming in a hasty and confused manner, most of them without their arms, and Gen. Ash and Bryant with them. He drew up his men at the bridge. Gen. Ash rode up to him and requested that he would stop those men, that they were running away. Gen. Bryant said they were not running away. Gen. Ash insisted they were. Capt. Horry then asked of the two generals who was the commanding officer? It was answered Gen. Ash. Then, sir, I will obey your orders, and presented fixed bayonets and threatened to fire upon the fugitives if they attempted to come forward, which stopped them. Afterwards Capt. Horry proceeded to camp with his detachment, and Gen. Ash and Bryant brought back the fugitives.

"We never could ascertain the number of men that were lost in this unfortunate affair, as many of them made no stay anywhere until they got to their own homes in North Carolina. The loss of arms was almost total, and it was a very serious con-

[1] Savannah.

sideration with us at that time as we could not replace them. Col. Elbert, with a few Continentals and a field-piece or two, fought some little time, but they were soon surrounded and made prisoners of.

"This unlucky affair at Brier-Creek disconcerted all our plans, and through the misfortunes of Gen. Howe and Ash the war was protracted at least one year longer, for it is not to be doubted that had we have crossed the river with our army and joined Gen. Ash, which we were preparing to do, we should have had a body of 7000 men: besides strong reinforcements were marching to us from every quarter sufficient to drive the enemy out of Georgia; and all the wavering and all the disaffected would have immediately joined us: and it is more than probable that Carolina would not have been invaded had this event not taken place."[1]

On the 13th of March a court of inquiry, consisting of Brigadier-General Moultrie, president, General Rutherford, Colonel Armstrong, Colonel Pinckney, Colonel Locke, and Edmund Hyrne, deputy adjutant-general, judge advocate, convened at Purrysburg "to examine into the affair of the 3d instant at Brier Creek, and the conduct of Maj. Gen. J. Ash relative to his command there." After hearing the statement of General Ash and weighing the evidence of many witnesses who testified, the court, on the 16th inst., gave expression to this opinion: "The court having maturely considered the matter before them are of opinion that Gen. Ash did not take all the necessary precautions which he ought to have done to secure his camp and obtain timely intelligence of the movements and approach of the enemy, but they do entirely acquit him of every imputation of a want of personal courage in the affair at Brier Creek, and think he remained in the field as long as prudence and duty required."[2]

Most lenient truly was this finding when we consider the frightful calamity which had overtaken the American arms in consequence of the imprudence and incompetency of this officer. Ash's defeat changed the entire aspect of affairs, and converted the offensive policy which Lincoln was about to inaugurate into one of observation and defense. The effect upon the militia of Georgia and Carolina was most prejudicial. Many who were on their

[1] Moultrie's *Memoirs of the American Revolution*, etc., vol. i. p. 324. New York. 1802.

[2] For a full account of the proceedings of this court of inquiry, and an abstract of the testimony submitted, see Moultrie's *Memoirs of the American Revolution*, etc., vol. i. pp. 337–353. New York. 1802.

way to join the American standard, dispirited at the news of this disaster, returned home. Others, undecided in their views and anxious to ally themselves with the stronger party, no longer hesitated to seek the protection of the king's forces.

The British troops within the limits of Georgia now numbered some four thousand, and consisted of the first and second battalions of the 71s tregiment, Sir James Baird's light infantry, Delancey's New York corps, volunteers from New York and New Jersey, Carolina Royalists, portions of the 16th and 60th regiments, two battalions of Hessians, Brown's rangers, and the Florida and Georgia militia. At Paris' Mill they formed a strong encampment defended by the guns captured at Brier Creek and by two additional field-pieces. On the left of the road, as one comes up from Savannah, a stout fort had been builded to guard the crossing at Sister's ferry. Here two six-pounder guns, two howitzers, and some other field-pieces were in position. Heavy pickets were on duty at Pace's. The hill commanding the Savannah River was fortified, — both artillery and infantry being present for its retention and to guard the passage. Three miles south of Ebenezer were a rail battery and a picket. At the town of Ebenezer appeared "a redoubt on the water on the north side, a strong picquet at the bridge, two strong redoubts, another round the little house near the tavern, another down at the ferry, another on the hill at the south side of the south pass, and a very strong picquet. This place has a good train of artillery and is very strong, more so than Savannah." Redoubts, armed with eighteen-pounder guns, connected by curtains and protected by abattis in front, guarded the approaches to Savannah. Prevost was resolved upon the retention of Georgia; and Lincoln, staggered by the blow delivered at Brier Creek, was, for the time being, unable to undertake his dislodgment.

Influenced by Stuart and Cameron the Creek and Cherokee Indians exhibited a threatening attitude. For the patriots the present was dark indeed and the future fraught with apprehension.

That he might utilize in the interest of the Crown all real and personal property owned by rebels, and in order to render productive such as had been captured or abandoned, Colonel Campbell, on the 15th of March, appointed John Pereman, Martin Jolie, James Robertson, William Telfair, and Roger Kelsall commissioners of claims, with instructions to open an office in Savannah and take possession of all lands and negroes belonging

to those who had been active in their opposition to the king's government. Persons having any effects or property belonging to absconding rebels were enjoined, under severe penalties, to make prompt return and surrender to the commissioners. Overseers and managers were to be named "not only for the care and employment of the negroes, stock, and effects on the confiscated plantations of the American adherents, but also for the improvement and cultivation of them." These overseers and managers were required to submit monthly reports of the stock and negroes employed, of the agricultural operations conducted on the plantations entrusted to their supervision, and of every disbursement made in cultivating, harvesting, and transporting the crops to market. All expenses having been paid, the net proceeds of the crops produced were to be applied, under the direction of the royal governor and council, to the use of the king's troops and the discharge of obligations connected with the prosecution of the war. Deluded by this scheme, which soon proved chimerical and incapable of remunerative results, the inhabitants who had eagerly submitted themselves to the dominion of the Crown vainly hoped for freedom from taxation.[1]

Encouraged by the signal defeat of Boyd at Kettle Creek, and the subsequent abandonment of Augusta by the king's forces, the Georgians who had fled to South Carolina for security soon returned with their families and property to Wilkes County. Scarcely had they reoccupied their forts and plantations when they were alarmed by the approach of a body of Creek Indians under the command of Tate and McGillivray, — Indian agents in the employ of the British. Colonel Pickens, with two hundred men of his regiment, quickly came to the assistance of the Georgians. Colonel Dooly was already in the field with one hundred mounted men. Colonel Elijah Clarke, with his command, guarded the frontier. Every male inhabitant of sixteen years and upwards appeared with arms in his hands. At Wrightsborough Colonels Pickens and Dooly were reinforced by detachments from the regiments of Colonels Few and Leroy Hammond, and by two troops of horse under the command of Major Ross. The Indians were encamped near Fulsom's Fort. Approaching under cover of the night, Lieutenants Alexander and Williamson, who had been detailed for the purpose, made a reconnoissance which led them to estimate the force of the enemy at eight hundred. Upon receiving their report Colonel Pickens,

[1] See McCall's *History of Georgia*, vol. ii. p. 219. Savannah. 1816.

to whom the command of the united American troops was confided, marched his column rapidly forward in the hope of reaching the Indian camp and surprising it before daylight. Some treacherous rascal advised the enemy of his approach. Unwilling to breast the attack the Indians, breaking up into small parties, fled in every direction. In the pursuit which ensued some of the savages were overtaken and slain. Major Ross, Captain Newsom, and Lieutenant Bentley were killed. Quiet was restored, and the enemy was utterly expelled from the territory.[1]

General Lincoln, after Ash's defeat, retained his headquarters at Purrysburg and maintained a close watch upon the enemy who was in force on the right bank of the Savannah River. Two British galleys, the Comet and the Hornet, commanded by Lieutenants Stone and McKenzie, were lying near Yemassee Bluff, below Purrysburg. On the night of the 20th of March the American galleys Congress and Lee, in charge of Captains Campbell and Milligan, were ordered to attempt their surprise and capture. Forty militia were detailed to proceed by land and take possession of a house just opposite the point where the enemy's galleys were at anchor, that they might assist in the attack which was to be opened at daylight the next morning. They occupied the house in due season, but the American galleys in descending the river got aground. It was nine o'clock before they reached a position whence they could bring their guns to bear upon the enemy. The British galley Thunderer, commanded by Lieutenant Terrill, promptly advanced from below to the assistance of the Comet and the Hornet galled by the fire from shore as well as by the cannon of the American galleys. The militia were quickly dislodged by the Thunderer's battery. After an engagement, which lasted an hour, the British manned their boats with the intention of boarding the Congress and Lee. Knowing that they could not successfully contend against this demonstration, the crews of the American galleys took to their boats and made their escape, leaving their vessels and some of their companions to the mercy of the enemy. On the part of the Americans Captain Campbell and three men were killed, six were wounded, and ten captured. The British loss was represented by one slain and one wounded. The capture of these American galleys left the Savannah River entirely open to the navigation of the enemy's armed vessels.

While Lincoln's army was daily decreasing in consequence of

[1] See McCall's *History of Georgia*, vol. ii. pp. 217–219. Savannah. 1816.

the desertion of the militia, General Prevost was so materially reinforced by accessions from New York and Florida that he found himself in command of more than five thousand men. In consequence of the loss of provisions and cattle sustained at the hands of the enemy, the families of not a few of the militiamen in camp were almost in a starving condition. Under these distressing circumstances, as there was no general movement of the army in immediate contemplation, they applied to General Lincoln for leave to return to their homes and endeavor to repair their fortunes until such time as he might be able to cross the Savannah River in force and redeem the country from the dominion of the enemy. Permission was granted, and many departed. It was also understood that, if pressed by the enemy, they might, to insure a peaceful residence on their own farms, take the oath of allegiance to the Crown. Displeased at the inactivity of the army, Governor Rutledge on the 5th of April issued orders to General Williamson to make an incursion into Georgia, harass the enemy, and destroy all cattle, horses, provisions, and carriages which should be found in his line of march. These instructions were displeasing to General Lincoln for two substantial reasons. In the first place, they were not addressed to him as the commanding officer of the army of which General Williamson's force formed a component part; and, in the second place, the execution of them would seriously impair the understanding existing between himself and the militiamen whom he had permitted to return to their homes. An unpleasant complication was imminent when General Moultrie, with his well-known sagacity and in the exercise of his sound judgment, took the matter in hand and, by a proper representation of facts, secured from Governor Rutledge a prompt recision of his order.[1]

In March occurred an exchange of prisoners. Those returned to Georgia were in a wretched plight. Says Captain McCall,[2] they "were so much emaciated when they arrived in camp that they were obliged to be carried from the boats in which they were brought from the prison-ships. They complained highly of the ill treatment which they had experienced on board these filthy, floating dungeons, of which their countenances and emaciated bodies exhibited condemning testimony. They asserted that they had been subsisted on condemned pork which nauseated the

[1] See *Letter of General Moultrie to Governor Rutledge*, dated Head Quarters Black Swamp, April 16, 1779.

[2] *History of Georgia*, vol. ii. p. 227. Savannah. 1816.

stomach, and oat meal so rotten that swine would not have fed on it: that the staff-officers and the members of Council from Savannah shared in common with the soldiery. Even the venerable Bryan was obliged to partake of such repasts or die of hunger. The Jews of Savannah were generally favourable to the American cause, and among this persuasion was Mordecai Sheftall, commissary general, and his son, who was his deputy. They were confined in common with the other prisoners, and, by way of contempt to their offices and religion, condemned pork was given them for the animal part of their subsistence. In consequence of such food, and other new devices of mal-treatment, five or six died daily, whose bodies were conveyed from the prison ships to the nearest marsh and trodden in the mud from whence they were soon exposed by the washing of the tides, and at low water the prisoners beheld the carrion crows picking the bones of their departed companions."[1] Well might General Moultrie exclaim at sight of such misery: "Does not this demand retaliation and a prison ship?" Earnestly did General Lincoln protest against these inhumanities, but both General Prevost and Sir Hyde Parker were deaf to the voice of justice and mercy. Savage in the main was the temper of the king's servants toward the Revolutionists.

On the 19th of April, 1779, Captain Morgan having arrived from St. Eustasia with a fresh supply of arms and ammunition, General Lincoln called a council of general officers at his headquarters at Black Swamp. Besides, Major-General Benjamin Lincoln, Brigadier-Generals William Moultrie, Isaac Huger, and Jethro Sumner, were present. Having informed the council that the number of men in camp, including those under General Williamson, five hundred promised from Orangeburg, and seven hundred from North Carolina who were already within the State of South Carolina, amounted to five thousand, the commanding general desired the opinion of the officers present upon the question whether, after leaving one thousand troops at Black Swamp and at Purrysburg, it would not be advisable with the remainder to cross the Savannah River near Augusta and occupy some strong position in Georgia to prevent the enemy from receiving supplies from the back country, circumscribe his limits, and forbid a junction with the Indians. All present regarded the measure as "rational" and advised that it be carried into effect. In conformity with this conclusion General

[1] Compare Moultrie's *Memoirs*, etc., vol. i. p. 369. New York. 1802.

Moultrie, with twelve hundred men, was left at Purrysburg and Black Swamp to guard the passes over the Savannah River and check any demonstration the enemy might seek to make against Carolina.

On the 20th of April General Lincoln, with two thousand light infantry and cavalry, set out for Augusta. His baggage and artillery were ordered to follow. From Silver Bluff, where he arrived on the 22d, he directed General Moultrie to send forward to that place the continental troops, with the exception of the second and fifth South Carolina regiments, and all the artillery save one two-pounder gun. All possible dispatch was enjoined. Should the royal forces manifest an inclination to move towards Charlestown, General Moultrie was instructed to possess himself of the important passes in their front and to interpose every obstruction so that General Lincoln might have an opportunity of coming up.[1]

On the 23d a party of Indians and white men disguised as Indians, numbering about thirty, crossed the Savannah River at Yemassee, four miles below Purrysburg, and surprised the American guard. Pursued by Colonel Henderson, they took refuge in the swamp and succeeded in making their escape.

Two days afterwards General Prevost put his troops in motion for Carolina. Some crossed the Savannah River at other points, but the heaviest column was thrown over at Purrysburg, whence an effort was made to surprise General Moultrie at Black Swamp. That officer, with a command of not more than a thousand men, retired in the direction of Charlestown, disputing, as opportunity offered, the advance of Prevost who pressed on with an army of two thousand regulars and seven hundred loyalists and Indians. General Lincoln, from his headquarters at Silver Bluff, as late as the 2d of May was apparently in doubt whether Prevost contemplated a serious attack upon Charlestown or was merely demonstrating to draw him off from his purposed advance into Georgia.[2] Soon becoming convinced that the capital of South Carolina was in serious peril he abandoned for the present his scheme for the relief of Georgia and marched rapidly for the protection of Charlestown. With the military operations in the vicinity of that city we have at present no special concern, save to state that they resulted in a complete discomfiture of the plans

[1] See *Letter of General Lincoln to General Moultrie*, dated "Mr. Galphin's, April 22, 1779."

[2] See his letter to General Moultrie, dated "Headquarters Silver Bluff, May 2, 1779."

of the enemy. Retreating by the sea islands, Prevost returned to Savannah, having established a post at Port Royal where he left Lieutenant-Colonel Maitland and a detachment of eight hundred men. General Lincoln, with the continental forces, established his headquarters at Sheldon. While General Prevost failed to capture the city of Charlestown, by this invasion of South Carolina he completely thwarted the purposes of General Lincoln and inflicted upon the Americans losses and demoralizations grievous and well-nigh insupportable. Behold the picture painted by Dr. Ramsay:[1] "This incursion into South Carolina and subsequent retreat contributed very little to the advancement of the royal cause, but it added much to the wealth of the officers, soldiers, and followers of the British army, and still more to the distresses of the inhabitants. The forces under the command of General Prevost marched through the richest settlements of the State, where there are the fewest white inhabitants in proportion to the number of slaves. The hapless Africans, allured with hopes of freedom, forsook their owners and repaired in great numbers to the royal army. They endeavored to recommend themselves to their new masters by discovering where their owners had concealed their property, and were assisting in carrying it off. All subordination being destroyed, they became insolent and rapacious, and in some instances exceeded the British in their plunderings and devastations. Collected in great crowds near the royal army, they were seized with the camp-fever in such numbers that they could not be accommodated either with proper lodgings or attendance.

"The British carried out of the State, it is supposed, about three thousand slaves, many of whom were shipped from Georgia and East Florida and sold in the West Indies: but the inhabitants lost upwards of four thousand, each of whom was worth, on an average, about two hundred and fifty Spanish dollars.

"When the British retreated, they had accumulated so much plunder that they had not the means of removing the whole of it. The vicinity of the American army made them avoid the main land and go off in great precipitation from one island to another. Many of the horses which they had collected from the inhabitants were lost in ineffectual attempts to transport them over the rivers and marshes. For want of a sufficient number of boats a considerable part of the negroes was left behind. They

[1] *History of the Revolution of South Carolina*, etc., vol. ii. pp. 31 *et seq.* Trenton. MDCCLXXXV.

had been so thoroughly impressed by the British with the expectations of the severest treatment and even of certain death from their owners in case of their returning home that in order to get off with the retreating army they would sometimes fasten themselves to the sides of the boats. To prevent this dangerous practice, the fingers of some of them were chopped off, and soldiers were posted with cutlasses and bayonets to oblige them to keep at proper distances. Many of them, labouring under diseases, afraid to return home, forsaken by their new masters, and destitute of the necessaries of life, perished in the woods. Those who got off with the army were collected on Otter Island, where the camp-fever continued to rage. Without medicine, attendance, or the comforts proper for the sick, some hundreds of them expired. Their dead bodies, as they lay exposed in the woods, were devoured by beasts and birds, and to this day the island is strewed with their bones.

"The British also carried off with them several rice-barrels full of plate, and household furniture in large quantities, which they had taken from the inhabitants. They had spread over a considerable extent of country, and small parties visited almost every house, stripping it of whatever was most valuable, and rifling the inhabitants of their money, rings, jewels, and other personal ornaments. The repositories of the dead were in several places broken open, and the grave itself searched for hidden treasure. What was destroyed by the soldiers was supposed to be of more value than what they carried off. Feather-beds were ripped open for the sake of the ticking. Windows, china-ware, looking-glasses, and pictures were dashed to pieces. Not only the larger domestick animals were cruelly and wantonly shot down, but the licentiousness of the soldiery extended so far that in several places nothing within their reach, however small and insignificant, was suffered to live. For this destruction they could not make the plea of necessity, for what was thus killed was frequently neither used nor carried off. The gardens, which had been improved with great care and ornamented with many foreign productions, were laid waste, and their nicest curiosities destroyed. The houses of the planters were seldom burnt, but in every other way the destruction and depredations committed by the British were so enormous that should the whole be particularly related, they who live at a distance would scarcely believe what could be attested by hundreds of eye-witnesses."

Although the planters on the Georgia coast were not as rich as

their Carolina neighbors, the losses inflicted upon them were proportionately just as serious. The ever-present greed of the victors, permanently established in their neighborhood, stripped such of the inhabitants as were pronounced disloyal to the royal cause not only of the luxuries but even of the bare necessaries of life, engendering extreme poverty and suffering. The demoralization of the slave population was also pronounced and annoying.

While General Lincoln was defending Carolina against the incursion inaugurated and maintained by Prevost for her subjugation, Colonels Dooly and Clarke, with watchful eyes and tireless arms, were protecting the frontiers of Georgia about which hostile Indians and treacherous loyalists were constantly hovering. Colonels Twiggs and Few and Jones hung about the outposts of the enemy, cutting off their supplies, attacking whenever a forced opportunity presented itself, and encouraging the inhabitants with the hope of ultimate deliverance. Private armed vessels, flying the American flag, cruised along the coast, guarding the exposed plantations, capturing marauding parties, and occasionally overhauling merchantmen in the service of the king.

Ascertaining that some British officers had accepted an invitation from Mr. Thomas Young to dine with him at Belfast on the 4th of June, 1779, Captain Spencer, commanding an American privateer, determined to surprise and capture the party. For this purpose, proceeding up Midway River in the evening, he landed between eight and nine o'clock at night, and, with twelve of his men, entering the house, made Colonel Cruger and the English officers at the table prisoners of war. Intending to carry off some negroes Captain Spencer kept his prisoners under guard until morning when, having taken their paroles, he permitted them to return to Sunbury. Colonel Cruger was soon after exchanged for Colonel McIntosh who had been captured at Brier Creek.

Colonel Twiggs, with seventy men, marched down the south side of the Great Ogeechee River and halted at the plantation of Mr. James Butler, called *Hickory Hill*. On the 28th of June he received information that Captain Muller, with forty mounted grenadiers conducted by three militia guides, was advancing to attack him. Major Cooper of Marbury's dragoons, and Captain Inman with thirty men, were thrown forward to meet the enemy. Forming across a rice dam along which Captain Muller was approaching, their first fire was so well delivered that several British saddles were emptied. Shot through the thigh, the British

commanding officer bravely supported himself by means of his sword as he formed and encouraged his men. Soon, however, he was knocked over by a ball which, passing through his arm, lodged in his body. Within a few moments Lieutenant Swanson, second in command, was prostrated by a wound. Observing the confusion occasioned in the ranks of the enemy by the fall of their officers, Colonel Twiggs ordered ten men to gain their rear and cut off their retreat. This was done, and of the entire detachment the three militia guides, who fled at the first fire, were the only ones who escaped. Seven of the British were killed and ten wounded. Colonel Maybank and Captain Whitaker were wounded on the part of the Americans.

The wounded requiring assistance, and Savannah being the nearest point where the services of a surgeon could be secured, William Myddleton was sent thither with a flag. While he was in General Prevost's quarters a British officer requested him to narrate the circumstances attending the skirmish. Having done so, the officer responded that "if an angel was to tell him that Captain Muller, who had served twenty-one years in the King's Guards with his detachment, had been defeated by an equal number of rebels, he would disbelieve it." Myddleton requested the officer's address, and observed that although they were not then on equal terms he hoped to have it in his power at some future time to call him to account for his rudeness. Colonel Prevost rebuked his officer for using such improper language to the bearer of a flag. Captain Muller died of his wounds before the arrival of the surgeon.[1]

While this affair was transpiring on the Great Ogeechee, Major Baker, with thirty men, attacked and defeated at the White House, near Sunbury, a party of Georgia Royalists under the command of Captain Goldsmith, killing and wounding several of them. Among the slain was Lieutenant Gray whose head was almost severed from his body by a sabre wielded by the daring Robert Sallette.[2]

[1] See McCall's *History of Georgia*, vol. ii. p. 235. Savannah. 1816.

[2] "He appears to have been a sort of roving character, doing things in his own way. The Tories stood very much in dread of him; and well they might, for never had they a more formidable foe. On one occasion, a Tory, who possessed considerable property, offered a reward of one hundred guineas to any person who would bring him Sallette's head. This was made known to our hero, who provided himself with a bag, in which he placed a pumpkin, and proceeded to the house of the Tory and told him that, having understood he had offered one hundred guineas for Sallette's head, he had it with him in the bag (at the same time pointing to the bag), and that he was ready to deliver it, provided the

On the 3d of August Captain Samuel Spencer sailed into Sapelo Sound. He was attacked by one of the enemy's vessels armed with six guns. After an engagement of fifteen minutes he succeeded in boarding and capturing her.

McGirth and his followers finding no field for their operations in the eastern portion of the State commenced pillaging the western settlements. Assembling one hundred and fifty men, Colonel Twiggs started in pursuit of these land pirates. Overtaking them at Isaac Lockhart's plantation on Buckhead Creek, he charged upon and fought them so stoutly that within a quarter of an hour they were put to flight, with a loss of nine killed, an equal number wounded, and four captured. McGirth, shot through the thigh, escaped into a neighboring swamp, thanks to the fleetness of his horse.

Although overrun by the enemy and paralyzed by the onerous regulations imposed by the British, it is nevertheless true that Georgia did not wholly cease from resistance. It was by these and kindred partisan exploits that the English troops and Tories were held in check at various points, and the drooping spirits of the oppressed inhabitants revived from time to time.

money was first counted out for him. The Tory, believing that the bag contained Sallette's head, laid down the money, upon which Sallette pulled off his hat, and, placing his hand upon his head, said, 'Here is Sallette's head.' This answer so frightened the Tory that he immediately took to his heels, but a well-directed shot from Sallette brought him to the ground." — White's *Historical Collections of Georgia*, p. 537. New York. 1855.

CHAPTER XIX.

Depreciated Condition of the Currency. — Political Status. — An Oligarchical Form of Government established. — Constitution of a Supreme Executive Council. — Powers Confided to it. — John Wereat chosen Permanent President. — Abnormal Condition of Affairs. — General Lachlan McIntosh returns to Georgia. — General Washington's Letter to Congress. — Communication from the Supreme Executive Council to General Lincoln. — Royal Government in Georgia. — Governor Wright's Dispatch to Lord George Germain. — Political Distractions of Georgia.

Upon the capture of Savannah, in December, 1778, by Lieutenant-Colonel Campbell, the Executive Council designated Augusta as the seat of government. So rapidly, however, did that officer push his column up the Savannah River, and so quickly did he occupy Augusta with his troops, that until his evacuation of that place, late in February, 1779, it existed but in name as the capital of Georgia. During this period the republican government of the State was peripatetic. In such a condition was it frequently found during the continuance of the Revolutionary struggle. The public records had been sent out of the State for safe keeping. Until the close of the contest the proceedings of the Executive Council consisted of little more than insignificant orders and letters, a meagre journal of its convocations, hasty deliberations and adjournments, and a scant memorandum of its principal acts touching the general safety. The treasury was empty. There was not even an attempt made to levy and collect taxes. Paper bills of credit, issued upon the faith of the State, had depreciated in value to such an extent that they possessed scarcely any purchasing power. All sorts of shifts were resorted to in order that the troops in the field might be supplied with food and clothing. Of payment in money for military services rendered there was often none, especially in the case of the militia. The currency employed in paying off troops enlisted in the continental service was almost as valueless as were the promises to pay circulated by the State. Not infrequently, the confiscated property of Royalists was utilized in discharging the obligations incurred in the purchase of necessaries for the soldiers in the

field.[1] Simple in the extreme was the machinery of government. The affairs of state were administered by a council of safety who did the best they could in the disjointed and impoverished condition of the country. Legislative convocations and enactments were suspended, and the courts were closed. *Silent leges inter arma.*

When Augusta again passed into the hands of the republicans the members of council convened there at the residence of Matthew Hobson to select a president and transact such business, demanded by the emergency, as lay within their power. They represented the State, and for the time being all legislative and executive functions were exercised by them. Matters wore on in this way until the time designated for the meeting of the General Assembly arrived. So disturbed was the condition of the commonwealth, and so thoroughly occupied by British troops were the lower counties, that only twenty-five members convened in Augusta in July, 1779. Too few to organize and conduct governmental affairs in accordance with the provisions of the constitution, and yet impressed with the necessity of devising some plan and providing some machinery by which the integrity of the State might be conserved and the administration of its business facilitated, on the 24th of July they assented to and promulgated the following document by which an oligarchical form of government was practically inaugurated.

"State of Georgia, Richmond County.

"Whereas, from the invasion of the British forces in this State great evils have arisen and still exist to disturb the civil government of the said State, and which, in a great measure, have prevented the Constitution of the land from being carried into such full effect as to answer the purposes of government therein pointed out: And whereas, it becomes incumbent and indispensably necessary at this juncture to adopt such temporary

[1] In illustration of this, let the following suffice: —

"In Council, *April 30th*, 1782.

"Captain Harris.

"Sir, — As you are appointed Agent for the County of Richmond to collect all sequestered property, you will please immediately to take in your possession two negroe wenches, the property of Curtis Colwell, in possession of Greenbury Lee and Simon Beckum, and two negroes, a Boy and a Girl, in possession of W^m^ Few, Sen^r^, the property of Simon Nichols, deceased.

"You will please, after taken the above in possession, to deliver the said Negroes to Captn Ignatius Few, they being appraised by M^r^ Simon Beckum; the State having purchased some necessarys from Captn Few, the said Negroes are to be received in payment for the articles purchased.

Stephen Heard, *Pres: Co^l^*."

mode as may be most conducive to the welfare, happiness, and security of the rights and privileges of the good people of the said State, and the maintenance and existence of legal and effective authority in the same as far as the exigence of affairs requires, until a time of less disquiet shall happen and the Constitution take its regular course; to the end therefore that government may prevail and be acknowledged, to prevent as far as may be anarchy and confusion from continuing among us, and fully to support the laws of the land derived under the Constitution thereof: We therefore, the representatives of the people of the Counties of Wilkes, Richmond, Burke, Effingham, Chatham, Liberty, Glynn, Camden, and other freemen of the State, having convened and met in the County of Richmond in the State aforesaid for the purposes of considering the present disturbed situation of the State, and for applying as far as is in our power some remedy thereto, and having maturely and seriously considered the same, do recommend that the following persons be appointed by the good people of this State to exercise the supreme authority thereof, who shall, before they enter on the execution of their office, take the following oath, viz: I, A. B., elected one of the Supreme Executive Council of the State of Georgia, do solemnly swear that I will, during the term of my appointment, to the best of my skill and judgment, execute the said office faithfully and conscientiously, without favor, affection, or partiality; that I will, to the utmost of my power, support, maintain, and defend the State of Georgia, and use my utmost endeavors to support the people thereof in the secure enjoyment of their just rights and privileges; and that I will, to the best of my judgment, execute justice and mercy in all judgments: so help me God.

"And we, and each of us, on our parts, as free citizens of the State of Georgia aforesaid, do for ourselves nominate, authorize, empower and require you, John Wereat, Joseph Clay, Joseph Habersham, Humphrey Wells, William Few, John Dooly, Seth John Cuthbert, William Gibbons, senior, and Myrick Davies, Esquires, or a majority of you, to act as the Executive or Supreme Council of this State: and to execute from Tuesday, the twenty-seventh instant, to the first Tuesday in January next, unless sooner revoked by a majority of the freemen of this State, every such power as you, the said John Wereat, Joseph Clay, Joseph Habersham, Humphrey Wells, William Few, John Dooly, Seth John Cuthbert, William Gibbons, senior, and My-

rick Davies, Esquires, or a majority of you shall deem necessary for the safety and defence of the State and the good citizens thereof: taking care in all your proceedings to keep as near the spirit and meaning of the Constitution of the said State as may be.

"And you the said John Wereat, Joseph Clay, Joseph Habersham, Humphrey Wells, William Few, John Dooly, Seth John Cuthbert, William Gibbons, senior, and Myrick Davies, Esquires, or a majority of you hereby have full power and authority, and are authorized, empowered, and required, to elect fit and discrete persons to represent this State in Congress, and to instruct the delegates so chosen in such matters and things as will tend to the interest of this State in particular, and the United States of America in general: the said delegates taking care, from time to time, to transmit to you, the said Council, or other authority of the State for the time being, an account of their proceedings in Congress aforesaid: to regulate the public treasury of the said State, to borrow or otherwise negotiate loans for the public safety: to regulate the militia, and appoint an officer, if necessary, to command: to appoint, suspend, and discharge all civil officers if it shall be found expedient: to demand an account of all expenditures of public money, and to regulate the same, and, where necessary, order payments of money: to adopt some mode respecting the current money of this State, and for sinking the same: to direct and commission the Chief Justice of the State, or assistant Justices, or other Justices of the Peace, and other officers of each County: to convene courts for the trial of offences cognizable by the laws of the land in such place or places as you shall think fit: always taking care that trial by Jury be preserved inviolate, and that the proceedings had before such courts be in a summary way so that offenders be brought to a speedy trial and justice be amply done as well to the State as to the individuals.

"You, or a majority of you, the said Council, have full power and hereby are requested, on conviction of offenders, to order punishment to be inflicted extending to death: and when objects deserving mercy shall be made known to you, to extend that mercy and pardon the offence, remit all fines, mitigate corporal punishments, as the case may be, and as to you or a majority of you shall seem fit and necessary. And you, the said Council or a majority of you, at all times and places when and where you shall think fit, have hereby full power and competent authority

to meet, appoint your own President, settle your own rules, sit, consult, deliberate, advise, direct, and carry in execution all and every act, special and general, hereby delegated to you, and all and every such other acts, measures, and things as you or a majority of you shall find expedient and necessary for the welfare, safety, and happiness of the freemen of this State.

"And in case any of the persons herein appointed to exercise the supreme authority as aforesaid shall refuse to act, die, or depart this State, or shall by any other means be prevented from exercising the same, then, and in such case, you the said Council hereby chosen, or a majority of you, shall, and you are hereby authorized, empowered, and required to fill up such vacancies by choosing fit and discrete persons or person to act in their or his room and stead, which person or persons so chosen is or are hereby invested with every power and authority in as full and ample a manner as if they had been appointed by this present instrument of writing.

"And we do hereby declare all officers, civil and military, and all persons, inhabitants of this State, subject to and answerable to your authority, and will ratify and confirm whatever you may do for or concerning the public weal, according to the best of your judgment, knowledge, and ability. And further, we do hereby promise you our support, protection, and countenance.

"In witness whereof we have hereunto set our hands this twenty-fourth day of July in the year of our Lord 1779."

This supreme executive council organized temporarily the same day by the choice of Seth John Cuthbert as president *pro tempore;* and, on the 6th of August, perfected a permanent organization by unanimously electing John Wereat president. All the members then took the oath of office prescribed and entered upon the discharge of their important duties. The entire transaction was abnormal. The choice lay between anarchy and this modified form of government. Regular assemblages of the legislature were, for the time being, impracticable. It was equally out of the question to evoke an expression of the popular will or to expect a general observance of the provisions of the constitution. To the republicans only a fraction of the State remained. Blood, turmoil, disquietude, and antagonisms were everywhere. The preservation of at least the semblance of sovereignty was vital to the cause of the patriots. Under the circumstances the delegates doubtless acted for the best; and, although in this matter they exceeded their powers and proceeded without consti-

tutional warrant, their action grew out of a condition of affairs most peculiar, and was intended to meet an emergency beyond the ordinary contemplation of law. In their selection of members of this supreme executive council it does not appear either that their judgment was at fault or that their confidence was misplaced. Nor did the erection of this temporary government fail to secure the indorsement of the patriots of Georgia. It was a war measure. By this oligarchy was Georgia ruled for many months, and during the entire period there is not even a suggestion that those to whom were committed powers so comprehensive were ever guilty of peculation, injustice, infidelity, or despotism. Their official conduct was a tribute at once to the individual worth of each member of the provisional government, and to the purity, the patriotism, the honor, and the virtue of the epoch. Brigadier-General Lachlan McIntosh was now again in Georgia and in command of the forces concentrated for the protection of the upper portions of the State. His return was sanctioned by Congress in accordance with his earnest desire, approved by General Washington, who, on the 11th of May, 1779, addressed the following communication to that august body: —

"Brigadier General McIntosh will have the honor of delivering you this. The war in Georgia, — being the State to which he belongs, — makes him desirous of serving in the Southern army. I know not whether the arrangements Congress have in contemplation may make it convenient to employ him there, but I take the liberty to recommend him as a gentleman whose knowledge of service and of the country promises to make him useful. I beg leave to add that General McIntosh's conduct, while he acted immediately under my observation, was such as to acquire my esteem and confidence, and I have had no reason since to alter my good opinion of him." [1]

Second in command to General Lincoln, he was at all times most earnest in devising means for the improvement of the military condition of Georgia and in concerting plans for restraining the British forces within the narrowest limits. With the supreme council of safety he conferred frequently and most freely. The liberation of Georgia from kingly rule lay nearest the hearts of all.

As indicating the intelligent observation of the members of this supreme executive council, and their anxiety to facilitate the redemption of the State, we submit this extract from a com-

[1] *The National Portrait Gallery*, etc., vol. iii. Philadelphia. 1836.

munication addressed by them to General Lincoln on the 18th of August, 1779: "A considerable part of the State having been in the immediate possession of the enemy ever since its invasion by them, those counties which have held out against them have been constantly subject to their incursions and depredations, and, of course, the few militia thereof, much harassed with duty: but their spirits have been kept up with the idea of support from the Continent and our Sister State, otherwise, we apprehend, a total evacuation would long since have taken place by those who have firmness enough to sacrifice everything to the cause of America, whilst the wavering would have joined the enemy and assisted them in their operations against Carolina.

"The arrival of the advance of General Scott's army, under Colonel Parker and Major Jamison, at a very critical juncture, has had the most salutary effect that could be expected, for it has infused new spirit into the militia who are now all cheerfully under arms to oppose the concerted invasions of the enemy's Irregulars and Indians who are at this time making different inroads upon us. General McIntosh has sent out a part of the Continental troops to support our militia, and we hope that for the present we shall be able to repel the enemy and to keep them from reaping any considerable advantages from the attempts of small parties. But we presume, Sir, that we need not endeavor to impress your mind with an idea of the feeble resistance we should be able to make to any serious attempt of the enemy to subjugate the upper parts of the State even with the assistance that General McIntosh can at this time afford us.

"We believe that it is generally allowed that unless the enemy are considerably reinforced, they will not make another attempt upon Charlestown; and from a variety of circumstances we are led to hope that they will not receive such reinforcement. Should this be the case, there can scarce remain a doubt but that they will aim at a total subjugation of Georgia this fall: for we cannot in reason suppose that they will keep a considerable body of troops immured in Savannah whilst the back country, so necessary to their quiet subsistence as well as their future designs, remains unconquered. The large quantities of grain made in the vicinity of this place and the numerous herds of cattle through all the upper parts of the country must be very considerable objects with them, particularly as we know that they cannot even now get sufficient supplies of cattle without coming upwards and then fighting for them. The frequent skirmishes of our Militia

with their Irregulars, who are employed as drovers, evince the truth of this observation: and should they gain the upper parts of this State, we are bold to assert that Carolina would be in a very dangerous situation. The great defection of the upper parts of that country is well known; a circumstance on which the enemy found the most sanguine hopes, and we have every reason to believe that they continually receive encouragement from these people to invade the back country. Nor could the enemy wish for a more favorable situation to be joined by them than that by Augusta, or anywhere above it, where the river is shallow and the swamps all passable.

"Add to the circumstances already mentioned, which might induce the enemy to progress upwards in force, that of having no obstruction to their intercourse with the Indians, which is a very capital one, and which will immediately be the case should they effect an entire conquest of this country; and unless they should do this, their intercourse will be very precarious and uncertain, and we shall always have it in our power to give the most considerable interruption to it. We think this point worth paying the most particular attention to, as we are now informed that Indian goods are now imported at Savannah, and that the Creek Indians have had no late supply from the Floridas. Should the trade from this country with the Indians be once open and uninterrupted, the enemy will find not the least difficulty, whenever they have a mind, in bringing the savages from the frontiers of Carolina.

"Besides our apprehensions on the above heads, we are fearful that in case the British troops should move up this way, the greatest part of the inhabitants, worn out with fruitless opposition and actuated by the fear of losing their all, would make terms for themselves: and as the human mind is too apt to be led by a natural gradation from one step of infamy to another, we have not the least doubt of their joining the enemy against their countrymen in any other State. But even should the British commander not bend his force this way, a great many families, harassed and unsupported, would remove far northwardly (for which they are already thinking of preparing), and this dangerous migration nothing but the appearance of support can prevent.

"With minds forcibly impressed by the operation of such powerful reasons, we beg leave to solicit you, Sir, in the most serious manner to order General Scott, who, we understand, is on his

march southwardly with the rest of his troops, immediately to this place.[1]

"We cannot think that the lower parts of Carolina will be endangered by such an order: for we may reasonably presume that the enemy will never penetrate far into that part of the country while a respectable force remains in their rear, which would be the case if General Scott and his troops were in Georgia."

The governor of South Carolina was also memorialized to assist with men and money in the effort to retain the possession of Upper Georgia and prevent the English from accomplishing the entire subjugation of the State. These and similar appeals were not in vain, and it may not be denied that the representations and efforts of the supreme executive council of Georgia had much to do with bringing about the coöperation between the French army under Count d'Estaing and the American forces under Lincoln for the recovery of Savannah in the fall of 1779.

When, in March, 1776, Sir James Wright fled from Savannah and took refuge on board his majesty's ship Scarborough, at Tybee Roads, fear fell upon all the king's servants holding office in Georgia, and one by one, as opportunity occurred, they quitted the province. A few of them espoused the cause of the Revolutionists, but most of them departed for London. Some sought refuge in St. Augustine.[2] From that time until the capture of Savannah in December, 1778, there was not even the semblance of royal government in Georgia. Upon the reduction of the capital of the State and the expulsion of the republicans from Southern Georgia a strictly military government was at first erected, and this was followed by the establishment of a civil administration under Lieutenant-Colonel Prevost who held an appointment from the king's commissioners as lieutenant-governor of Georgia. He was supplanted by Sir James Wright who, reaching Savannah on the 14th of July, 1779, resumed the gubernatorial office six days afterwards.[3] Such was the unsatisfactory condition of affairs that he felt constrained to delay issuing writs of election. The old officers returned slowly, and the governor, until after the repulse of the allied army before the fortifications around Savannah, could claim to be little more

[1] Augusta.

[2] See *A List of the Officers of his Majesty's Province of Georgia, and their present places of residence* [February, 1779]. P. R. O., Am. & W. Ind., vol. ccxxxvii.

[3] See *Letter of Sir James Wright to Lord George Germain*, dated Savannah, July 31, 1779. P. R. O., Am. & W. Ind., vol. ccxxxvii.

than a *locum tenens*. He found "several of the leading Rebels very busy in keeping up the expiring flame of Rebellion," and was persuaded that there were yet many in Georgia "who, if they had an opportunity, would adhere to the Independent Scheme."

On the 9th of August he says to Lord George Germain, "The more I am able to see into the true state of affairs here, the more I am convinced of the wretched situation this Province is in, and how nearly it was being totally lost while the army was carrying on their operations in South Carolina; and now, my Lord, the Rebels who went from hence into Carolina on the arrival of Colonel Campbell, with other Rebels of Carolina and this Province, are possessed of the Country at and about Augusta, and all above it, and I have the honor to inclose your Lordship the information I received from three Back Country People by which it appears that almost the whole settlements down to Briar Creek are broke up, or the inhabitants skulking about to avoid the Rebel Partys, and that the Rebels have collected upwards of 600 men and are going to establish a post with them somewhere in St George's Parish. I doubt not, my Lord, however, but this Province will soon raise its head and become more populous and opulent than ever. I have ordered an exact return of the whole Militia, but have not yet received it, although, from the best information I have been able to come at, I really believe they will not exceed 400 men in the whole Province: and probably 300 would not appear under arms."

With regard to the Indians he adds, "I am sorry to say that after the immense expence to Government on account of the Indians, they do not seem to me to be so hearty in the cause and so warmly attached as I expected."

Thus, during the lull which preceded the gathering storm, the thunders of which were soon to shake the foundations of the city of Oglethorpe, Governor Wright at Savannah, supported by the king's army, was striving to recreate the royal government and to lead back the inhabitants of Southern Georgia to a complete and orderly submission to British rule. While at Augusta the members of the Supreme Executive Council, invested with unlimited powers yet sadly deficient in all material appliances, were endeavoring to perpetuate the sovereignty of a republican State just born into the sisterhood of nations, and to arm, feed, and clothe a patriot band, few in numbers yet brave of heart, fighting for home and property and liberty, the

odds were seemingly all in favor of his majesty King George III. In this conflict between a republican oligarchy and an English monarchy it did really appear that there was little hope for the ultimate independence of the bleeding, impoverished, and distracted commonwealth.



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CHAPTER XX.

THE FRENCH ALLIANCE. — COUNT D'ESTAING. — PREPARATIONS BY THE ALLIED ARMY TO DISLODGE THE ENEMY FROM SAVANNAH. — SIEGE OF SAVANNAH IN SEPTEMBER AND OCTOBER, 1779.

THE treaties of commerce and alliance with Louis the Sixteenth were, by the Continental Congress, unanimously ratified on the 4th of May, 1778. Frenchmen were welcomed as the best friends of America, and the king of France was proclaimed "the protector of the rights of mankind." Profound acknowledgments were rendered to a gracious Providence for raising up so powerful an ally. The independence of the United Colonies was now regarded as no longer in doubt and there was great joy throughout the length and breadth of the land.

Arriving too late to overtake the squadron and transports of Lord Howe on their retreat from Philadelphia, Admiral the Count d'Estaing, with his twelve ships of the line and three frigates, followed his enemy to the north and for some time anchored within Sandy Hook, where he intercepted British merchantmen bound for New York. Subsequently baffled at Newport in his attempt to force an action with the English fleet, and sorely endamaged by a hurricane, the French admiral repaired to Boston, and thence sailed for the protection of the French Windward Islands. In January, 1779, so completely was maritime superiority in that quarter transferred to England by the arrival of strong reinforcements under Admiral Byron that for six months D'Estaing was forced to shelter his fleet within the bay of Port Royal.

Taking advantage of the absence of the British admiral who was convoying a fleet of merchant ships through the passages, the French count, in gallant style, reduced both St. Vincent and Grenada; and afterwards, in a running fight, so crippled the returned British squadron that the superiority of France was reëstablished in those waters.

It was just at this favorable moment that letters came from M. Gerard, the French minister, General Lincoln, and M. Plombard, the French consul at Charlestown, entreating Count d'Estaing to coöperate with the American forces for the capture

of Savannah. In this solicitation Governor Rutledge earnestly joined. Exulting in the victory which he had recently won over Lord Macartney at Grenada, rejoicing in the restoration of French supremacy in the West Indies, anxious to retrieve the military fortunes which had miscarried during his demonstrations on the American coast the previous year, and acting within the general instructions he had received from his home government, Count d'Estaing readily yielded to this request and entered heartily into the scheme for dislodging the enemy from Savannah. Sailing from the Windward Islands he reached the coast of Georgia on the 1st of September, 1779, with a fleet consisting of twenty-two ships of the line, ten frigates, and one cutter. Several barges, transport schooners, and American vessels accompanied the expedition. So sudden and unexpected was this descent that several English vessels, wholly unconscious of impending danger, were captured at and near the mouth of the Savannah River.

The Viscount de Fontanges, adjutant-general of the army, was at once dispatched by the count in the frigate Amazon, commanded by the famous navigator La Perouse, to proceed to Charlestown and arrange with General Lincoln and the American authorities a suitable plan of operations. He arrived at that city on the 4th of September and a concert of action was quickly agreed upon. Boats were sent from Charlestown to assist in landing troops, ordnance, and stores. Colonel Cambray, of the engineers, Colonel Thomas Pinckney, aid to General Lincoln, Captain Gadsden, and a few other intelligent officers were detailed to return with the viscount and assist the admiral in consummating his landing upon the Georgia coast. At Ossabaw Count d'Estaing was to be met by Colonel Joseph Habersham, who proceeded thither to join the fleet and indicate a proper place for the debarkation of the troops.

The French fleet, which had been somewhat scattered by a rough sea and high winds, was entirely united on the 4th. On the 9th, D'Estaing, on board the Chimère, accompanied by three other frigates, forced a passage across the bar of the Savannah River. Upon the approach of these war vessels the English ships Rose, Fowey, Keppel, and Germain, the Comet, a galley, and several small craft which had been lying in Tybee Roads, weighed anchor and retired to Five-Fathom Hole. From Fort Tybee — located near the light-house on the northern extremity of Great Tybee Island, designed to guard the entrance into

Savannah River, and armed with a twenty-four-pounder gun and an eight-and-a-half-inch howitzer — fire was opened upon the French squadron, but it proved entirely innocuous. A detachment of troops was thrown upon the island. Fort Tybee was immediately abandoned by its garrison, which succeeded in effecting its escape. After occupying the island during the night, and finding it entirely deserted by the enemy, the detachment was withdrawn the next morning.

On Saturday, the 11th, the fleet rendezvoused in Ossabaw Sound, and at nine o'clock the next evening twelve hundred men, selected from various regiments, were successfully landed at Beaulieu.[1] At this point, formerly the residence of Colonel William Stephens, a small force of the enemy, with two field-pieces, had been stationed. It was withdrawn, however, on the appearance of the fleet, and no opposition was encountered by the boats conveying the troops from the ships. The further debarkation of the land army was interrupted for several days by high winds, which, increasing to a gale, compelled many of the ships to slip their cables and seek the open sea. Several vessels were seriously injured, and the anchorage which they were forced to abandon was not fairly regained by all of them until the 20th. Wednesday, the 15th, proving a calm day, the boats from the vessels within convenient reach were busily occupied in landing additional troops. The same day the twelve hundred men first put on shore advanced from Beaulieu and formed a new camp three miles from Savannah. This little army was composed of three divisions. The centre was commanded by D'Estaing, the right by Dillon, and the left by Noailles.[2]

On the 11th the frigate Amazon, of thirty-six guns, commanded by Perouse had, after a gallant resistance offered on the part of the English commander, succeeded in capturing the Ariel of twenty-four guns. Some two weeks afterwards his majesty's ship Experiment, which had lost her bowsprit and masts in a gale of wind encountered on her passage from New York to Savan-

[1] Also spelled *Bewlie*.

[2] In a MS. journal of the siege of Savannah in 1779 (now before us, and purchased at the Luzarche sale in Paris), kept by an unknown French officer who was evidently present during all the movements antecedent to, involved in, and consequent upon that memorable event, this first encampment of the French army, three miles from Savannah, is thus identified: "the command of the General in the centre towards *Mishow*, that of Dillon on the right at *Jonshauss*, and that of Noailles on the left, at *Brisqhauw*." These names have so entirely faded from the memory of the present that the localities which they once designated cannot now be identified. Manifestly the position was southeast of Savannah.

nah, the Myrtle, a navy victualer, and the store-ship Champion were also captured. This encampment of the French army being established, reinforcements were rapidly pushed forward as they were landed at Beaulieu.

It will be remembered that Savannah could not then boast of more than four hundred and thirty houses. Most of them were wooden structures. Using the present names of the streets, the boundaries of the town were the *Bay* on the north, *Lincoln* Street on the east, *South Broad* Street on the south, and *Jefferson* Street on the west. Outside the limits indicated were some scattering abodes, and these appeared principally on the east and west.

Count Pulaski, who, after General Prevost's retreat from South Carolina, had taken post on a ridge fifty miles northeast of Augusta that he might the more readily obtain provisions for and restore the health of his legion, and at the same time be within supporting distance of either Charlestown or Augusta as occasion required, was ordered to join General Lachlan McIntosh at the latter place. With this united command General McIntosh was directed to move towards Savannah in advance of the army under General Lincoln which was approaching from the direction of Charlestown, attack the British outposts, and establish communication with the French troops on the coast. Pressing forward, Count Pulaski cut off one of the enemy's pickets, killing and wounding five men and capturing a subaltern and five privates. Skirmishing with the British outposts, he hastened onward toward Beaulieu in the midst of a heavy rain. There he found Count d'Estaing. In the language of Captain Bentalou, these officers "cordially embraced and expressed mutual happiness at the meeting." Count Pulaski was then informed by the French admiral that he intended, without waiting for General Lincoln, to move at once upon Savannah and that "he counted on his Legion to form his van." "In pursuance of this wish," continues Bentalou, "we set out immediately and reached Savannah some time before d'Estaing, where we engaged and cut off an advanced picket of the enemy's infantry."[1]

Reaching the vicinity of Savannah in advance of the forces under General Lincoln, General McIntosh occupied a position between the town and Great Ogeechee ferry,[2] and there awaited the concentration of the allied armies.

During the 12th and the 13th General Lincoln was engaged

[1] *A Reply to Judge Johnson's Remarks*, etc., p. 33. Baltimore. 1836.

[2] At Millen's plantation.

in crossing his command over the Savannah at Zubly's ferry. Considerable delay was experienced in consequence of the fact that the enemy had either secured or destroyed most of the boats on the river. On the afternoon of the 13th General McIntosh formed a junction with the advance guard of Lincoln's army; and on the night of the 15th the two commands, now wholly united, encamped at Cherokee Hill.

On the 16th of September and prior to the arrival of the American forces under General Lincoln, Count d'Estaing, accompanied by the grenadiers of Auxerrois and the chasseurs of Champagne and of Guadeloupe, sent to Major-General Augustine Prevost, commanding the British army, this summons requiring a surrender of Savannah to the king of France: —

"Count d'Estaing summons his Excellency General Prevost to surrender himself to the arms of his Majesty the King of France. He admonishes him that he will be personally answerable for every event and misfortune attending a defence demonstrated to be absolutely impossible and useless from the superiority of the force which attacks him by land and sea. He also warns him that he will be nominally and personally answerable henceforward for the burning, previous to or at the hour of attack, of any ships or vessels of war or merchant ships in the Savannah River, as well as of magazines in the town.

"The situation of the Morne de l'Hôpital in Grenada, the strength of the three redoubts which defended it, the disproportion betwixt the number of the French troops now before Savannah and the inconsiderable detachment which took Grenada by assault, should be a lesson for the future. Humanity requires that Count d'Estaing should remind you of it. After this he can have nothing with which to reproach himself.

"Lord Macartney had the good fortune to escape in person on the first onset of troops forcing a town sword in hand, but having shut up his valuable effects in a fort deemed impregnable by all his officers and engineers, it was impossible for Count d'Estaing to be happy enough to prevent the whole from being pillaged."

To this threatening and pompous demand Major-General Prevost thus responded: —

"Savannah, *September 16th*, 1779.

"Sir, — I am just now honored with your Excellency's letter of this date, containing a summons for me to surrender this town to the arms of his Majesty the King of France, which I had just

delayed to answer till I had shown it to the King's Civil Governor.[1]

"I hope your Excellency will have a better opinion of me and of British troops than to think either will surrender on general summons without any specific terms.

"If you, Sir, have any to propose that may with honor be accepted of by me, you can mention them both with regard to civil and military, and I will then give my answer. In the meantime I will promise upon my honor that nothing with my consent or knowledge shall be destroyed in either this town or river."

The following is Count d'Estaing's reply: —

"CAMP BEFORE SAVANNAH, *September 16th*, 1779.

"SIR, — I have just received your Excellency's answer to the letter I had the honor of writing to you this morning. You are sensible that it is the part of the Besieged to propose such terms as they may desire, and you cannot doubt of the satisfaction I shall have in consenting to those which I can accept consistently with my duty.

"I am informed that you continue intrenching yourself. It is a matter of very little importance to me. However, for form's sake, I must desire that you will desist during our conferences.

"The different columns, which I had ordered to stop, will continue their march, but without approaching your posts or reconnoitering your situation.

"P. S. I apprize your Excellency that I have not been able to refuse the Army of the United States uniting itself with that of the King. The junction will probably be effected this day. If I have not an answer therefore immediately, you must confer in future with General Lincoln and me."

To this General Prevost promptly responded: —

"SAVANNAH, *September 16th*, 1779.

"SIR, — I am honored with your Excellency's letter in reply to mine of this day. The business we have in hand being of importance, there being various interests to discuss, a just time is absolutely necessary to deliberate. I am therefore to propose that a cessation of hostilities shall take place for twenty-four hours from this date: and to request that your Excellency will order your columns to fall back to a greater distance and out of sight of our works or I shall think myself under the necessity to direct

[1] Governor Sir James Wright, who counseled resistance to the last extremity.

their being fired upon. If they did not reconnoitre anything this afternoon, they were sure within the distance."

Without waiting to advise with General Lincoln in regard to the propriety of granting General Prevost's request, Count d'Estaing imprudently replied as follows: —

"CAMP BEFORE SAVANNAH, *September* 16, 1779.

"SIR, – I consent to the truce you ask. It shall continue till the signal for retreat tomorrow night, the 17th, which will serve also to announce the recommencement of hostilities. It is unnecessary to observe to your Excellency that this suspension of arms is entirely in your favor, since I cannot be certain that you will not make use of it to fortify yourself, at the same time that the propositions you shall make may be inadmissible.

"I must observe to you also how important it is that you should be fully aware of your own situation as well as that of the troops under your command. Be assured that I am thoroughly acquainted with it. Your knowledge in military affairs will not suffer you to be ignorant that a due examination of that circumstance always precedes the march of the columns, and that this preliminary is not carried into execution by the mere show of troops.

"I have ordered them to withdraw before night comes on to prevent any cause of complaint on your part. I understand that my civility in this respect has been the occasion that the Chevalier de Chambis, a lieutenant in the Navy, has been made a prisoner of war.

"I propose sending out some small advanced posts tomorrow morning. They will place themselves in such a situation as to have in view the four entrances into the wood in order to prevent a similar mistake in future. I do not know whether two columns commanded by the Viscount de Noailles and the Count de Dillon have shown too much ardor, or whether your cannoniers have not paid a proper respect to the truce subsisting between us: but this I know, that what has happened this night is a proof that matters will soon come to a decision between us one way or another."

The junction of General Lincoln's forces with those of Count d'Estaing was effected before the lines of Savannah on the 16th of September, 1779. The Americans were in high spirits. With the coöperation of the French it was confidently believed that the discomfiture of the English garrison and the capture of Savannah would prove a certain and easy task. No fears of possi-

ble misadventure were entertained. The French camp, which at first was pitched southeast of the town, was quickly changed and located almost directly south of Savannah. Its front was well-nigh parallel with the streets running east and west. General de Dillon commanded the right, Count d'Estaing the centre, and the Count de Noailles the left. General Lincoln's command was posted to the southwest; the front of his line looking nearly east, and his rear protected by the Springfield plantation swamp. About midway between these armies, and looking directly north, was the cavalry camp of Count Pulaski.

Fatal was the error committed by the French admiral in consenting to this suspension of hostilities for the space of twenty-four hours.

When the French fleet first appeared off the Georgia coast the English had but twenty-three pieces of cannon mounted upon their works around Savannah. On the morning of the assault one hundred more were in position. It would seem that for some months after the capture of Savannah in December, 1778, the English did not materially alter or strengthen the works which the Americans had constructed for the protection of the southern, eastern, and western exposures of the town. So soon, however, as this crisis was upon them the utmost activity was displayed. Lieutenant-Colonel Cruger, with his detachment, was withdrawn from Sunbury. Troops were recalled from outlying posts, and Colonel Maitland was ordered to move promptly for the relief of Savannah. In addition to the garrison, between four and five hundred negroes were put to work upon the lines. The war vessels in the river were stripped of their batteries that they might arm the earthworks. So rapidly did the labor progress that before the French and Americans opened fire from their trenches the British had raised around the town thirteen substantial redoubts and fifteen gun-batteries mounting eighty pieces of cannon. These batteries were manned by sailors from the Fowey, the Rose, and the Keppel, and by mariners and volunteers from other ships and transports in the river. Besides these guns in fixed position field-pieces were distributed at intervals. Ships were sunk both above and below the town to occlude the channel and prevent the near approach of the American and French vessels of war. Captain Moncrieff, the engineer officer in charge, displayed a degree of pluck, energy, and skill worthy of all commendation.

When summoned to the relief of Savannah Colonel Maitland

was at Beaufort with a detachment of eight hundred men. Arriving at Dawfuskie on the evening of the 16th, he found the Savannah River in the possession of the French, and his further progress by the customary water route checked. While thus embarrassed chance threw in his way some negro fishermen familiar with the creeks permeating the marshes, who informed him of a passage known as Wall's Cut, through Scull Creek, navigable by small boats at high water. A favoring tide and a dense fog enabled him, unperceived by the French, to conduct his command successfully through this unaccustomed avenue. On the afternoon of the 17th he reached Savannah. "The acquisition of this formidable reinforcement," says Captain McCall, "headed by an experienced and brave officer, effected a complete change in the dispirited garrison. A signal was made and three cheers were given, which rung from one end of the town to the other." [1]

So soon as Colonel Maitland was fairly within the town General Prevost, who had temporized that this most desirable acquisition to his forces might be secured, responded thus: —

"SAVANNAH, *September 17th*, 1779.

"SIR, — In answer to the letter of your Excellency which I had the honor to receive about twelve last night, I am to acquaint you that having laid the whole correspondence before the King's civil Governor and the military officers of rank, assembled in Council of War, the unanimous determination has been that though we cannot look upon our post as absolutely impregnable, yet that it may and ought to be defended: [2] therefore the evening gun to be fired this evening at an hour before sundown shall be the signal for recommencing hostilities agreeable to your Excellency's proposal."

Grave was the mistake committed by Count d'Estaing in not insisting upon an immediate reply to his summons for surrender. So confident was he of success that he would not await the arrival of General Lincoln. Ambitious for the triumph of

[1] It is a noteworthy fact that during the late war between the States this Wall's Cut afforded the United States gun-boats the means of entering the Savannah River in rear of Fort Pulaski, without encountering the fire of its guns, thereby completely isolating that fortification, and covering Federal working parties engaged in the erection of investing batteries at Venus' Point and on the north end of Bird's Island.

[2] This resolution to defend Savannah, it is claimed by the friends of Governor Wright, would not have been formed except for his vote and determined persuasion in the council of war then held. Sabine's *Loyalists of the American Revolution*, vol. ii. p. 458. Boston. 1864.

French arms without the coöperation of the American forces, he sought to monopolize the prize he reckoned within his grasp. So thoroughly did he regard the British garrison as within the range of facile capture that he acceded to the request for delay, little appreciating the disastrous consequences which would ensue from thus toying with his enemy. Intelligent British officers who were present at the siege admitted, when it was over, that the French army alone could have carried Savannah in ten minutes, without the aid of artillery, had an assault been made at the earliest moment.

The energy and skill displayed by the English in strengthening the old works, in erecting new ones, in dismantling the vessels of war in the river and placing their guns in battery to the south, east, and west of Savannah, and, above all, the introduction of Colonel Maitland's forces into the town at a most opportune moment, reflect great credit upon those charged with the defense.

If, instead of parleying, D'Estaing had insisted upon a prompt response to his summons for surrender, the probability is that Prevost would have acceded to his demand. Had he refused there is little doubt but that the investing army, if immediately put in motion, would have swept over the incomplete intrenchments and restored the capital of Georgia to the possession of the Revolutionists. He was outwitted by the English commander. The accorded delay proved fatal to the enterprise.

Disappointed in his expectation of an immediate surrender of Savannah, advised of the arrival of the reinforcement under Colonel Maitland, and doubting the propriety of an assault, D'Estaing resolved to resort to the slower process of a reduction by regular siege and gradual approaches. To this end, and that the town might be absolutely invested on the south, the French commander moved his forces up to within twelve hundred yards of the English lines. The encampment, thus formed, exhibited a front of thirty-two hundred yards. The American troops under Lincoln formed the left of the line, resting upon the swamp which bordered the town on the west. Then came the division of M. de Noailles composed of nine hundred men of the regiments of Champagne, Auxerrois, Foix, Guadeloupe, and Martinique. D'Estaing's division, comprising one thousand men of the regiments of Cambresis, Hainault, the volunteers of Berges, Agenois, Gatinois, the Cape, and Port au Prince, with the artillery, was on the right of Noailles and formed the centre of the French

army. Dillon's division, composed of nine hundred men of the regiments of Dillon, Armagnac, and the Volunteer Grenadiers, was posted on the right of D'Estaing. To the right of Dillon's division were the powder magazine, the cattle depot, and a small field hospital. On the right and a little in advance of the depot were the quarters of the dragoons of Condé and of Belzunce, numbering fifty men and commanded by M. Dejean. Upon the same alignment and to the right of the dragoons was M. de Rouvrai, with his Volunteer Chasseurs numbering seven hundred and fifty men. Still to the right, and two hundred yards in advance of M. de Rouvrai, was M. des Framais commanding the Grenadier Volunteers and two hundred men of different regiments. He effectually closed the right of the army and rested upon the swamp which bounded the city on the east.

It will be perceived by these dispositions, which were concluded on the 22d of September, that Savannah was completely isolated on the land side.

The frigate La Truite and two galleys lay in the river within cannon shot of the town. That all communication with the islands, formed by the numerous river mouths, might be effectually cut off, the frigate La Chimère and the armed store-ship La Bricole were judiciously posted.

A large and beautiful house at Thunderbolt was occupied and used as a hospital. From this time forward Thunderbolt was substituted in the stead of Beaulieu as a more convenient point for holding converse with the fleet.

The ships Rose and Savannah and four transports, sunk by the English in a narrow part of the river channel a few miles below the town, prevented the French from bringing up their heavy-armed vessels to coöperate in the siege. Small craft sunk above Savannah and a boom stretched across the river did not allow the near approach of the galleys which, passing up the North River round Hutchinson's Island, purposed an attack from that direction. Guns mounted upon the bold bluff served also to protect the northern exposure of Savannah from a close and effectual fire.

The American forces concentrated under the command of General Lincoln numbered about twenty-one hundred men of all arms.

After the arrival of Colonel Maitland and his command the British force within the lines of Savannah may be safely estimated at twenty-five hundred men.

The siege had now fairly begun, and the French were earnestly employed in landing additional troops from the fleet, and in transporting cannon, mortars, and ammunition for the bombardment of the town.

Guarded by deep and impracticable swamps on the east and west, and with a river in front which the enemy had occluded above and below so as to prevent the near approach of the French war vessels, the attention of General Prevost was directed to fortifying the southern exposure of Savannah. Upon the deployment of the French army before the town the British had thrown up an intrenchment and several batteries the front of which was obstructed by abattis. These works were strengthened by three redoubts located triangularly at the western extremity of the line, two mortar batteries, each mounting three or four pieces, and two redoubts erected on the left of the intrenchments. During the progress of the siege these fortifications, extending entirely across the high ground south of the town from the low grounds on the east to the swamp on the west and bending back on either hand to the river, were vastly improved. In the river, at the northwestern extremity of the town, were stationed a frigate with a battery of nine-pounder guns and two galleys armed with eighteen-pounders.

General Prevost's first disposition of troops was made in accordance with the following orders, issued on the 9th of September: —

"The regiment of Wissenbach to take their ground of encampment;[1] likewise the 2nd battalion of General Delancey's.[2] In case of an alarm, which will be known by the beating to arms both at the Barracks and main guard, the troops are to repair to their several posts without confusion or tumult.

"Captain Stuart of the British Legion will take post with his men in the work on the right near the river. The main guard to be relieved by convalescents from the Hessians.

"Major Wright's corps to send their convalescents in the old fort.[3] Twenty four men in the small redoubt, and seventy men in the left flank redoubt upon the road to Tattnall's.

"The militia to assemble in rear of the Barracks.

"The Light Infantry, the Dragoons, and Carolina Light Horse as a reserve, two hundred yards behind the Barracks.

"The King's Rangers, commanded by Lieutenant-Colonel

[1] In the centre.
[2] On the left of the centre.
[3] On the extreme left.

Brown, in the small redoubt on the right, with fifty men: the remainder extending towards the larger redoubt on the right.

"The Carolinians divided equally in the two large redoubts.

"The Battalion men of the 60th Regiment in the right redoubt. The Grenadiers on the left, extending along the abatis towards the Barracks: the Hessians on their left, so as to fill up the space to the Barracks.

"On the left of the Barracks, the 3rd battalion of Skinner's, General Delancey's, and the New York Volunteers; and on their left the 71st Regiment lining the abatis to the left flank redoubt on the road to Tattnall's.

"If all orders are silently and punctually obeyed, the General makes no doubt that, if the enemy should attempt to make an attack, they will be repulsed and the troops maintain their former well-acquired reputation; nor will it be the first time that British and Hessian troops have beat a greater superiority of both French and Americans than it is probable they will have to encounter on this occasion. The General repeats his firm reliance on the spirit and steady coolness of the troops he has the honor to command."[1]

Upon the safe entry in Savannah of the reinforcements under the command of Colonel Maitland, and when hostilities were about to be commenced in earnest, General Prevost published this general order: —

"Camp before Savannah, 17*th September*, 1779.

"Parole, Maitland. Countersign, St. George. Field officers for to-morrow, Lieutenant-Colonel Cruger and Major Graham.

"The troops to be under arms this afternoon at four o'clock. As the enemy is now very near, an attack may be hourly expected. The General therefore desires that the whole may be in instant readiness. By the known steadiness and spirit of the troops he has the most unlimited dependence, doubting nothing of a glorious victory should the enemy try their strength. What is it that may not, by the blessing of God, be expected from the united efforts of British sailors and soldiers and valiant Hessians against an enemy that they have often beat before?

"In case of a night attack, the General earnestly requests the utmost silence to be observed, and attention to the officers, who will be careful that the men do not throw away their fire at random, and warn them earnestly not to fire until ordered."[2]

[1] See original order book of General Prevost.

[2] Order book of General Prevost.

Both armies now prepared for the final struggle. Guns from the French fleet were landed at Thunderbolt, whence they were transported to the lines before Savannah and placed in position as rapidly as batteries and platforms could be made ready for their reception. The English were delighted at the turn which affairs had taken, and Prevost's chief engineer declared that if the allied army would only resort to the spade and the tedious operations incident to regular approaches and a protracted bombardment he would pledge himself to accomplish a successful defense of the town.

On Wednesday, the 22d, M. de Guillaume, of Noailles' division, attempted, with fifty picked men, to capture an advanced post of the enemy. He was repulsed by a lively fire of artillery and musketry.

At three o'clock in the afternoon of the following day a trench was opened by the besiegers at a distance of three hundred yards from the enemy's works, and a detail of six companies made for the protection of the working parties. When a thick fog, which prevailed the next morning, had lifted, the British, perceiving the newly-constructed approach, made a sortie for its capture. Three companies of light infantry under Major Graham constituted the attacking force. The English historians claim that this was simply a demonstration for the purpose of enticing the French out of their lines so that something like an accurate estimate might be formed of their strength. Major Graham retreated with a loss of twenty-one killed and wounded. He was closely pursued by a heavy column of French soldiers who, in their zeal, were drawn within range of the English batteries, which delivered a galling fire.

At seven o'clock on the morning of the 25th, fire upon the city was opened from a battery just erected under the supervision of M. de Sauce, an artillery officer, mounting two 18-pounder guns. Upon an inspection of the work, Count d'Estaing ordered this battery to be remodeled and armed with twelve 18 and 12-pounder guns. He further directed that another battery, to contain thirteen 18-pounder guns, should be constructed on the right of the trench. He also located the position for a bomb battery, of nine mortars, two hundred yards to the left and a little in rear of the trench. By the side of this he decided to erect a battery of six 16-pounder guns to be manned by the Americans. Until these works should be completed the count ordered that no firing should occur.

If we may credit the statements made by a naval officer in the fleet of Count d'Estaing, whose journal was published in Paris in 1782, the condition of affairs on shipboard was deplorable. He says: The navy is suffering everything, anchored on an open coast and liable to be driven ashore by the southeast winds. Seven of our ships have been injured in their rudders, several have lost their anchors, and most of them have been greatly endamaged in their rigging. The scurvy rages with such severity that we throw daily into the sea about thirty-five men. We have no kind of refreshments to give the sick, not even *tisanne*. There was no way of alleviating the misery of our poor sailors who, wanting coats, destitute of linen, without shoes, and absolutely naked, had nothing to eat except salt provisions which made them die of thirst. The bread which we possessed, having been two years in store, was so much decayed and worm-eaten, and was so disagreeable to the taste, that even the domestic animals on board would not eat it. Even this had to be distributed in scanty rations for fear the supply would utterly fail. Behold a part of the frightful picture of the cruel and miserable condition of our crews during the continuance of the siege of Savannah upon which the Count d'Estaing was so intent that he appeared to have entirely forgotten his vessels. The few sailors who were in condition to work the ships were weak, of a livid color, with the marks of death portrayed on their countenances, and could not be viewed without compassion.

On the night of the 27th a sortie was made by Major Archibald McArthur, with a detachment of the 71st regiment, to interrupt the allies in the construction of their batteries. Assaulting with vigor, he quickly retired. The French attempted to gain his right flank and the Americans his left. He eluded them both. Amid the darkness the allies opened fire upon each other. Several lives were lost before the mistake was discovered. The French account of this affair is different. It is therein stated that twice during this night the troops in the trenches, believing they saw the enemy approaching, delivered a heavy fire by mistake upon the working parties, by which some seventeen were killed and wounded. The ensuing day, the frigate La Truite, moving up and anchoring in the north channel of the Savannah, attempted to bombard the town. But little damage was caused by her projectiles.

On the 29th of September, says Captain McCall,[1] General

[1] *History of Georgia*, vol. ii. p. 260. Savannah. 1816.

McIntosh solicited General Lincoln's permission to send a flag with a letter to General Prevost to obtain leave for Mrs. McIntosh and his family, and such other females and children as might choose, to leave the town during the siege or until the contest should be decided. Major John Jones, aid to General McIntosh, was the bearer of the flag and letter, and found Mrs. McIntosh and family in a cellar where they had been confined several days. Indeed, such damp apartments furnished the only safe retreat for females and children. General Prevost refused to grant the request, imagining that he would thus restrain the besiegers from throwing bombs and carcasses among the houses to set them on fire.[1]

During the night of the 1st of October, Colonel John White, with Captains George Melvin and A. C. G. Elholm, a sergeant, and three privates, achieved an exploit which almost transcends belief. Captain French with one hundred and eleven regular troops, accompanied by five vessels and their crews, — four of them being armed vessels, — interrupted in his attempt to reach Savannah, had taken refuge in the Great Ogeechee River. Debarking his troops he formed a fortified camp on the left bank of that stream. Approaching this encampment at night, Colonel White caused a number of fires to be kindled in full view, as though an investing force of considerable strength was present. He then, with his little party, advanced and summoned Captain French to a surrender. With this demand he complied. His entire command was disarmed and marched to the camp of the allied army.

On the 2d of October the frigate La Truite, from her position in the north channel, assisted by two American galleys, delivered a heavy fire against the southeast end of the town. This compelled the enemy to throw up a new battery and to strengthen the defensive works in that quarter.

The batteries planned by Count d'Estaing having been completed and armed, the bombardment of Savannah commenced at

[1] Writing from the camp before Savannah on the 7th of October, 1779, Major John Jones says: "The poor women and children have suffered beyond description. A number of them in Savannah have already been put to death by our bombs and cannon. A deserter has this moment come out who gives an account that many of them were killed in their beds, and amongst others a poor woman, with her infant in her arms, was destroyed by a cannon ball. They have all got into cellars: but even there they do not escape the fury of our bombs, several having been mangled in that supposed place of security. I pity General McIntosh; his situation is peculiar. The whole of his family is there." MS. letter in the possession of the author.

midnight on the 3d of October. It ceased, however, at two o'clock on the morning of the 4th; it being evident from the misdirection of the bombs that many of the cannoneers were under the influence of rum.

The record of the first day's bombardment is thus perpetuated in a French journal of the siege: "October 4th, Monday. At four o'clock in the morning, the enemy's beat of drum at daybreak furnishes the signal for unmasking our batteries on the right and left of the trench, and that of the Americans to the left of the mortar battery, and we begin to cannonade and bombard the town and the enemy's works with more vivacity than precision. The cannoneers being still under the influence of rum, their excitement did not allow them to direct their pieces with proper care. Besides, our projectiles did little damage to works which were low and constructed of sand. The effect of this very violent fire was fatal only to the houses and to some women who occupied them.

"Protected by their entrenchments, the enemy could not have lost many men, if we may judge from the effect of their fire upon our works which had been hastily constructed and with far less skill and care than theirs.

"All our batteries ceased firing at eight o'clock in the morning that we might repair our left battery which had been shaken to pieces by its own fire. A dense fog favors our workmen. We open fire again at ten o'clock in the morning and continue it with little intermission until four o'clock after midnight."

Stedman, in his history, says the allied army opened the bombardment with fifty-three pieces of heavy cannon and fourteen mortars. Dr. Ramsay, who is followed by McCall, states that the besiegers opened with nine mortars and thirty-seven cannon from the land side, and sixteen cannon from the water.

The bombardment of the 4th caused considerable damage to property within the town, and some lives were lost.

In order to avoid the projectiles Governor Sir James Wright and Lieutenant-Governor John Graham moved out of Savannah and occupied a tent next to Colonel Maitland on the right of the British lines.

By a shell from the bomb battery of nine mortars Ensign Pollard, of the second battalion of General DeLancey's brigade, was killed in a house on the bay. A daughter of Mrs. Thompson was slain in the same locality by a solid shot.

In commenting upon the effect of this bombardment, T. W.

Moore, who was an aid-de-camp to General Prevost during the siege, says that the town was torn to pieces by the shells and shot, and that the shrieks of women and children were heard on every side. "Many poor creatures," he adds, "were killed in trying to get in their cellars, or hide themselves under the bluff of Savannah River."

During the progress of the siege considerable damage was caused to buildings and property by the fire of the investing batteries. Among other premises, the quarters of Anthony Stokes, chief justice of the colony, were burned by a shell. His library and manuscripts were destroyed. During the bombardment of the 5th, as we learn from "Rivington's Royal Gazette," a mulatto man and three negroes were killed in the lieutenant-governor's cellar. In the evening, the residence of Mrs. Lloyd, near the church,[1] was burnt by a shell and seven negroes lost their lives. At night another shell fell through Mr. Laurie's house on Broughton Street and killed two women and children who were under it.

On the 6th, the bombardment was feebly sustained and at long intervals. The allied army began to lose confidence when it was perceived that the heavy firing which had previously been maintained would not render the final assault less difficult. More than ever was Count d'Estaing persuaded that he should not have resorted to the slow process of a siege which afforded the British an opportunity of strengthening their old works and of erecting new defenses. His regret was sincere that he had not attacked on the very first day.

At eleven o'clock a parley was beaten and the following communication, addressed by General Prevost to the commander of the French army, was delivered: —

"Camp Savannah, *6th October*, 1779.

"Sir, — I am persuaded your Excellency will do me the justice to believe that I conceive in defending this place and the army committed to my charge I fulfil what is due to Honor and Duty to my Prince. Sentiments of a different kind occasion the liberty of now addressing myself to your Excellency. They are those of Humanity. The houses of Savannah are occupied solely by women and children. Several of them have applied to me that I might request the favour you would allow them to embark on board a ship or ships and go down the river under the protection of yours until this business is decided. If this requisition you are so good as to grant, my Wife and Children, with a few servants, shall be the first to profit by the indulgence."

[1] Christ Church.

To this letter the following response was returned: —

"Camp before Savannah, *October 6th*, 1779.

"Sir, — We are persuaded that your Excellency knows all that your duty prescribes. Perhaps your zeal has already interfered with your judgment.

"The Count d'Estaing in his own name notified you that you alone would be personally responsible for the consequence of your obstinacy. The time which you informed him in the commencement of the siege would be necessary for the arrangement of articles, including different orders of men in your town, had no other object than that of receiving succor. Such conduct, Sir, is sufficient to forbid every intercourse between us which might occasion the least loss of time. Besides, in the present application latent reasons might again exist. There are military ones which, in frequent instances, have prevented the indulgence you request. It is with regret we yield to the austerity of our functions, and we deplore the fate of those persons who will be victims of your conduct, and the delusion which appears to prevail in your mind.

"We are with respect, Sir,

Your Excellency's most obedient Servants,

B. Lincoln.
D'Estaing.

"His Excellency
Major General Prevost."

Remembering the advantage taken by the English commander of the truce accorded on the 16th of September, to introduce the detachment under Colonel Maitland, apprehending that the present was but a pretext for gaining some undisclosed advantage, and mindful of the fact that General Prevost had denied a similar application preferred in behalf of General McIntosh whose wife and children were in Savannah, General Lincoln and Count d'Estaing deemed it proper to refuse the permission asked.

"7th, Thursday. A very lively cannonade. We bombard and throw carcasses into Savannah, which set the town on fire for the third time.[1] We construct a new trench in advance of our left battery to persuade the enemy that we do not yet con-

[1] To-day, Captain John Simpson of the Georgia Loyalists, while walking in Major Wright's redoubt, was killed by a grape-shot. Many houses in Savannah were damaged by the fire of the Allies. One shell fell in the Provost Marshal's office killing two men and wounding nine others. Another burst in the cellar under the office of the Commissioner of Claims, slaying a negro, and wounding another.

template an assault, but that our intention is to push our approaches up to his works.

"8th, Friday. We cannonade and bombard feebly. The enemy does little more. He seems to be husbanding his strength for the anticipated attack. Informed of all that transpires in our army, he is cognizant of the trifling effect produced by his fire upon us in our trenches. Everything forces us to the conclusion that we must, on the morrow, make a general assault upon the city. The length of time requisite for the operations of a siege, the exhaustion of the supplies of the fleet, and the pressing dangers resulting from our insecure anchorage, decide the general to take this step."

So reads the journal of a French officer in the land army of Count d'Estaing.

The morning of the 8th was signalized by a brilliant attempt on the part of Major l'Enfant to fire the abattis in front of the enemy's lines. The dampness of the atmosphere, however, prevented general ignition.

The approaches of the allied army had now been pushed almost within pistol shot of the English works.[1] In the judgment of the engineers, however, ten days more would be required to penetrate them. The remonstrances of his naval officers against further delay, sickness in fleet and camp, anticipated storms at this tempestuous season of the year, an apprehension of attack from the British fleet, and the failure of his fire to effect a practicable breach in the hostile works united in determining Count d'Estaing to attempt their capture by an early assault.

Four o'clock on the morning of the 9th of October, 1779, was designated as the hour for the important movement, the details of which were fully concerted at a general conference of leading officers. Unfortunately, the plan of attack was, by some means, overheard or unwittingly divulged. Certain it is that on the night of the 8th James Curry,[2] sergeant major of the Charlestown Grenadiers, deserted to the enemy and communicated to the English the purposes of the allied army. Thus advised, Prevost prepared to meet the emergency.

[1] "We keep up a most incessant cannonade and bombardment," says Major John Jones in a letter dated "Camp before Savannah, 7th October, 1779," "and this evening we shall carry on our approaches within pistol-shot of the enemy's lines. We are hourly expecting that they will strike, though many, with myself, are of opinion they will not until we compel them by storm. Their investment is complete, and the siege a regular one." MS. letter in possession of the author.

[2] This deserter was subsequently captured at the battle of Hobkirk's Hill, and was hung for his treachery.

Informed that the principal assault was to be directed against the Spring-Hill redoubt and the contiguous batteries, and that the menace on the left under Huger was little more than a feint, he concentrated his choicest troops about the Spring-Hill and assigned his best officer, Colonel Maitland, to their command.

These are the orders which were issued by General Lincoln in anticipation of the important movements which were to transpire on the morning of the 9th.[1]

"Watchword, Lewis.

"The soldiers will be immediately supplied with forty rounds of cartridges, a spare flint, and their arms in good order.

"The infantry destined for the attack of Savannah will be divided into two bodies: the first composing the light troops under the command of Colonel Laurens; the second of the Continental battalions and the first battalion of Charlestown militia, except the grenadiers who are to join the light troops. The whole will parade at one o'clock near the left of the line and march by the right by platoons.

"The guards of the camp will be formed by the invalids and be charged to keep up the fires as usual in the camp.

"The cavalry under the command of Count Pulaski will parade at the same time with the infantry and follow the left column of the French troops and precede the column of the American light troops. They will endeavor to penetrate the enemy's lines between the battery on the left of the Spring-Hill redoubt and the next toward the river. Having effected this, they will pass to the left toward Yamacraw and secure such parties of the enemy as may be lodged in that quarter.

"The artillery will parade at the same time: follow the French artillery, and remain with the *corps de reserve* until they receive further orders.

"The whole will be ready by the time appointed with the utmost silence and punctuality, and be ready to march the instant Count d'Estaing and General Lincoln shall order.

"The Light troops, who are to follow the cavalry, will attempt to enter the redoubt on the left of the Spring-Hill by escalade if possible: if not, by entrance into it. They are to be supported, if necessary, by the first South Carolina regiment. In the mean time the column will proceed with the lines to the left of the Spring-Hill battery.

"The Light troops having succeeded against the redoubt will

[1] Moultrie's *Memoirs of the American Revolution*, vol. ii. p. 37. New York. 1802.

proceed to the left and attempt the several works between that and the river.

"The column will move to the left of the French troops, taking care not to interfere with them.

"The light troops having carried the works toward the river will form on the left of the column.

"It is expressly forbid to fire a single gun before the redoubts are carried, or for any soldier to quit his ranks to plunder without an order for that purpose: any who shall presume to transgress in either of these respects shall be reputed a disobeyor of military orders, which is punishable with death.

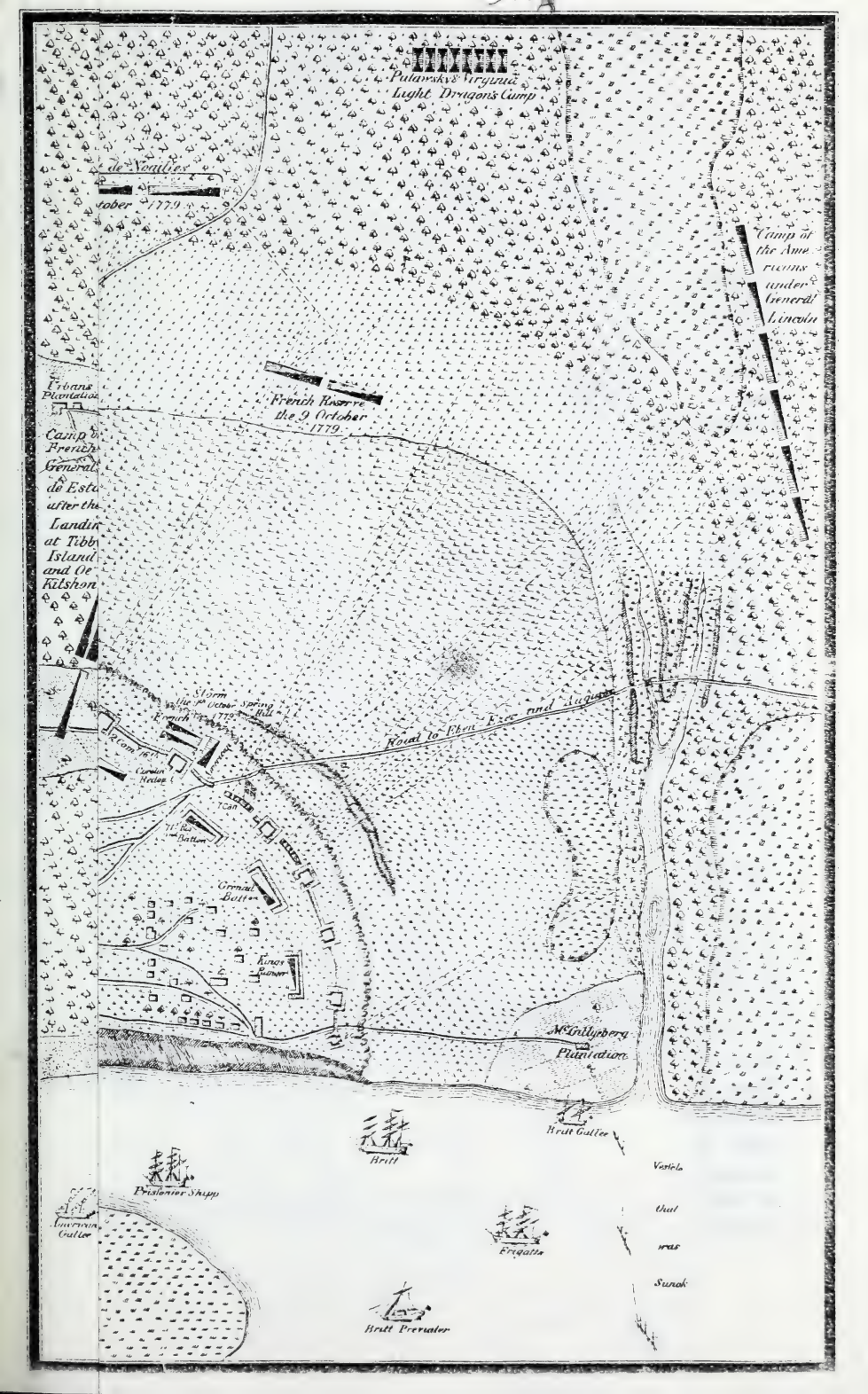
"The militia of the first and second brigades, General Williamson's, and the first and second battalions of Charlestown militia will parade immediately under the command of General Isaac Huger. After drafting five hundred of them, the remainder will go into the trenches and put themselves under the command of the commanding officer there.

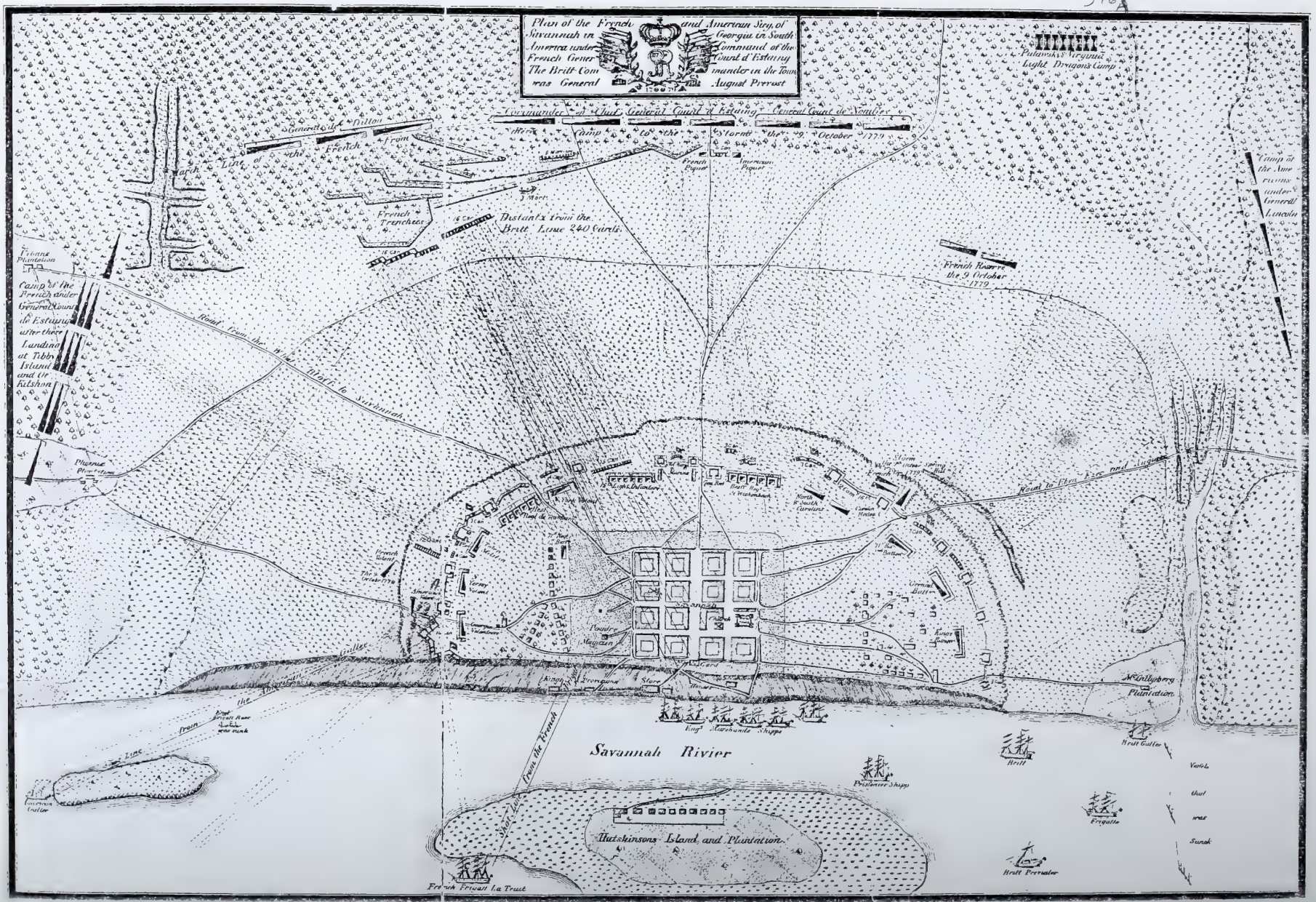
"With the five hundred he will march to the left of the enemy's lines and remain as near them as he possibly can, without being discovered, until four o'clock in the morning, at which time the troops in the trenches will begin the attack upon the enemy. He will then advance and make his attack as near the river as possible. Though this is only meant as a feint, yet, should a favorable opportunity offer, he will improve it and push into the town.

"In case of a repulse, after having taken the Spring-Hill redoubt, the troops will retreat and rally in the rear of the redoubt. If it cannot be effected that way, it must be attempted by the same route at which they entered.

"The second place of rallying, or the first, if the redoubt should not be carried, will be at the Jews' burying ground, where the reserve will be placed. If these two halts should not be effectual, they will retire toward camp.

"The troops will carry on their hats a piece of white paper by which they will be distinguished."


Pulawskys Virginia
Light Dragoons Camp
de Noailles
tober 1779
Camp of the Ame
ricans
under
General
Lincoln
French Reserve
the 9 October
1779
Evans
Plantation
Camp
French
General
de Este
after the
Landin
at Tibb
Island
and Oc
Kilshon
Storm
the 9th October
1779
Spring
Hill
Redoubt No 10
Redoubt No 9
Royal to Ebenezer and Augusta
Curtain
Redoubt
Redoubt No 8
Battery
Grenadier
Battery
Kings
Battery
McGillybrey
Plantation
Britt Galley
Britt
Prisonier Shipp
American
Galley
Frigatte
Britt Privateer
Vessels
Vast
ves
Sunck


Plan of the French and American Siege of Savannah in Georgia in South America under the Command of the French General Count d'Estaing The Britt Commander in Chief General Augustin Prevost was General
Commander in Chief General Count d'Estaing General Count de Noailles
Camp of the French from the 16 October 1779
Distant from the Britt Lines 240 Yards
French Trenches
French Redoubt
French Battery
Camp of the French under General Count de Estaing after their Landing at Tibbee Island and Ogeechee
Road from the Ferry to Savannah
Savannah River
Hutchinsons Island and Plantation
French Frigate Lay Trust
Britt Privateer
Britt Frigate
Britt Gallies
Britt Sunk
Kings Magazine
Kings Store
Powder Magazine
Gaol
Barracks
Guard
Lines
Road to Ebenezer and Augusta
Road to the Ferry
Camp of the Americans under General Lincoln
French Camp
French Quarters
American Picquet
French Picquet
Redoubt
Battery
Fascine Battery
Fascine Plantation
Mr Gilbergs Plantation
Kings Merchants Ships
Privateer Ships
Light Dragoons
North & South Carolina
Georgia
Virginia
Pulaski's Legion
Light Dragoons Camp

CHAPTER XXI.

THE SIEGE OF SAVANNAH CONTINUED. — ASSAULT OF THE 9TH OF OCTOBER, 1779. — REPULSE OF THE ALLIED ARMY. — COUNT PULASKI. — ESTIMATE OF FORCES ENGAGED AND OF LOSSES SUSTAINED. — NAMES OF THE KILLED AND WOUNDED. — LIEUTENANT LLOYD. — SERGEANT JASPER. — SIEGE RAISED. — DEPARTURE OF THE FRENCH AND AMERICANS. — WAR VESSELS COMPOSING THE FRENCH FLEET. — GENERAL LINCOLN'S LETTER TO CONGRESS. — COUNT D'ESTAING — DEATH OF COLONEL MAITLAND. — PITIABLE CONDITION OF THE SEA-COAST OF GEORGIA.

THE French were to form in three columns: two for assault, and the third to act as a reserve corps moving to any point where its coöperation seemed most requisite. Of the first column of assault under M. Dillon, Count d'Estaing assumed personal command. The second was entrusted to M. de Steding, colonel of infantry. The third, or column of reserves, was led by the Viscount de Noailles. The Americans were divided into two assaulting columns. The first, composed of the second South Carolina regiment and the first battalion of Charlestown militia, was placed under the guidance of Colonel Laurens. The second, consisting of the first and fifth South Carolina regiments and some Georgia continentals, was commanded by General Lachlan McIntosh. General Lincoln, taking with him some militia, united with the Viscount de Noailles, and assumed, by virtue of his rank, general command of the reserves. The cavalry, under Count Pulaski, was to precede the American column, commanded by Colonel Laurens, until it approached the edge of the wood, when it was to break off and occupy a position whence it could readily take advantage of any breach which might be effected in the enemy's works. The weight of these assaulting columns was to be directed against the right of the British lines. General Isaac Huger, with a force of five hundred men, was ordered to march to the left of the enemy's works and remain as near them as he could, without being discovered, until four in the morning, when he was to advance and attack as close the river as practicable. Although this movement was intended as a feint, he was instructed, if a favorable opportunity presented itself, to improve

the chance and push into the town. It was further arranged that some troops from the trenches should demonstrate forcibly against the British centre with a view to distracting the enemy.

After wading half a mile through the rice-field which bordered the city on the east, General Huger reached his point of attack and, at the designated hour and place, assaulted. The enemy, already fully advised of the movement, was on the alert. He was received with music and a heavy fire of cannon and musketry, before which he retreated with a loss of twenty-eight men. This command took no further part in the action. The attack by the troops from the trenches upon the centre of the English line was feebly maintained and produced no impression. It was easily repulsed by the soldiers under the command of Lieutenant-Colonel Hamilton, of the North Carolina regiment of loyalists. These troops from the trenches, supported by the Chasseurs of Martinique, were commanded by M. de Sabliere.

The details of the assault upon the enemy's right, as conducted by the French columns of attack, we translate from the journal of a French officer who participated in the tragic event: —

"By three o'clock in the morning all our dispositions had been perfected. . . . We commence marching by the left to attack the city on its right where its western side, as we have before intimated, is fortified by three redoubts located triangularly.[1] The columns marched by divisions (each column had been divided into three battalions), with easy gait and leisurely, that they might arrive at the point of attack at the designated hour.

"At five o'clock in the morning, the three columns, which had observed a similar order of march, arrived within about eighty toises (160 yards) of the edge of the wood which borders upon Savannah. Here the head of column was halted and we were ordered to form into platoons. Day begins to dawn and we grow impatient. This movement is scarcely commenced when we are directed to march forward, quick time, the vanguard inclining a little to the right, the column of M. de Steding to the left, and the column of the General (D'Estaing) moving straight to the front. M. de Noailles, with his reserve corps, proceeds to a small eminence from which he could observe all our movements and repair to any point where the exigencies might demand his presence.

"At half past five o'clock we hear on our right, and on the enemy's left, a very lively fire of musketry and cannon upon our

[1] The Spring-Hill and Ebenezer batteries.

troops from the trenches who had commenced the false attack. A few minutes afterwards, we are discovered by the enemy's sentinels, who fire a few shots. The General now orders an advance at double quick, to shout *Vive le Roy*, and to beat the charge. The enemy opens upon us a very brisk fire of artillery and musketry, which, however, does not prevent the vanguard from advancing upon the redoubt, and the right column upon the entrenchments. The ardor of our troops and the difficulties offered by the ground do not permit us long to preserve our ranks. Disorder begins to prevail. The head of the column penetrates within the entrenchments, but, having marched too rapidly, it is not supported by the rest of the column which, arriving in confusion, is cut down by discharges of grape shot from the redoubts and batteries and by a musketry fire from the entrenchments. We are violently repulsed at this point. Instead of moving to the right, this column and the vanguard fall back toward the left. Count d'Estaing receives a musket shot when almost within the redoubt, and M. Betizi is here wounded several times.

"The column of M. de Steding, which moved to the left, while traversing a muddy swamp full of brambles, loses its formation and no longer preserves any order. This swamp, upon which the enemy's entrenchments rested, formed a slope which served as a glacis to them. The firing is very lively; and, although this column is here most seriously injured, it crosses the road to Augusta that it may advance to the enemy's right which it was ordered to attack. On this spot nearly all the volunteers are killed. The Baron de Steding is here wounded.

"The column of M. d'Estaing, and the repulsed vanguard which had retreated to the left, arrived here as soon as the column of M. de Steding, and threw it into utter confusion. At this moment everything is in such disorder that the formations are no longer preserved. The road to Augusta is choked up. It here, between two impracticable morasses, consists of an artificial causeway upon which all our soldiers, who had disengaged themselves from the swamps, collected. We are crowded together and badly pressed. Two 18-pounder guns, upon field carriages, charged with canister and placed at the head of the road, cause terrible slaughter. The musketry fire from the entrenchments is concentrated upon this spot and upon the swamps. Two English galleys and one frigate[1] sweep this point with their broadsides, and the redoubts and batteries use only grape shot, which

[1] The armed brig Germain.

they shower down upon this locality. [Another contemporaneous French writer says the English fired from their cannon packets of scrap iron, the blades of knives and scissors, and even chains five and six feet long.] Notwithstanding all this our officers endeavor to form into columns this mass which does not retreat, and the soldiers themselves strive to regain their ranks. Scarcely have they commenced to do this when the General orders the charge to be beaten. Three times do our troops advance *en masse* up to the entrenchments which cannot be carried. An attempt is made to penetrate through the swamp on our left to gain the enemy's right. More than half of those who enter are either killed, or remain stuck fast in the mud. . . . Standing in the road leading to Augusta, and at a most exposed point, the General, with perfect self-possession, surveys this slaughter, demands constant renewals of the assault, and, although sure of the bravery of his troops, determines upon a retreat only when he sees that success is impossible.

"We beat a retreat, which is mainly effected across the swamp lying to the right of the Augusta road; our forces being entirely, and at short range, exposed to the concentrated fire of the entrenchments which constantly increases in vehemence. At this juncture the enemy show themselves openly upon the parapets and deliver their fire with their muskets almost touching our troops. The General here receives a second shot.[1]

"About four hundred men, more judiciously led by the Baron de Steding, retreated without loss by following the road to Augusta and turning the swamp by a long detour. M. de Noailles, anxious to preserve his command for the moment when it could be used to best advantage, orders his reserve corps to fall back rapidly. Had he not done so, it would have suffered a loss almost as severe as that encountered by the assaulting columns, the effect of the grape shot being more dangerous at the remove where it was posted than at the foot of the entrenchments. Accompanied only by his adjutant, he ascends an elevation fifteen paces in advance of his corps that he might with certainty observe all the movements of the army. His adjutant, M. Calignon, is mortally wounded by his side. When the Viscount de Noailles perceives the disorder reigning among the columns, he brings his reserve corps up to charge the enemy; and, when he hears the retreat sounded, advances in silence, at a slow step,

[1] During the conduct of the assault Count d'Estaing was twice wounded by musket balls, once in the arm and again in the thigh.

and in perfect order, to afford an opportunity to the repulsed troops to reform themselves in his rear. He makes a demonstration to penetrate within the entrenchments in case the enemy should leave them, and prepares to cut them off in that event. Under these circumstances he encounters some loss, but the anticipated sortie would have caused the total destruction of our army. That the enemy did not make this apprehended sortie is to be attributed to this excellent disposition of his forces and this prompt manœuvre on the part of the Viscount de Noailles.[1]

"The fragments of the army hastily form in single column behind the reserve corps and begin marching to our camp. M. de Noailles constitutes the rear guard, and retires slowly and in perfect order. Towards eight o'clock in the morning the army was again in camp, and a cessation of hostilities for the purpose of burying the dead and removing the wounded was proposed and allowed."

The American right column, under the command of Colonel Laurens, preceded by Count Pulaski, assaulted the Spring-Hill redoubt with conspicuous valor. At one time the ditch was passed and the colors of the second South Carolina regiment were planted upon the exterior slope. The parapet being too high for them to scale in the face of a murderous fire, these brave assailants were driven out of the ditch. On the retreat, this command was thrown into great disorder by the cavalry and lancers who, severely galled by the enemy's fire, broke away to the left and passed through the infantry, bearing a portion of it into the swamp.

The second American column, led by General McIntosh, arrived near the Spring-Hill redoubt at a moment of supreme confusion. Count d'Estaing was then, his arm wounded, endeavoring to rally his men. "General McIntosh," says Major Thomas Pinckney, who was present and an earnest actor in the bloody details of this unfortunate and ill-considered attempt, "did not speak French, but desired me to inform the Commander-in-Chief that his column was fresh, and that he wished his directions

[1] This statement is not entirely correct. Major Glasier, of the Sixtieth Regiment, who, with the grenadiers and reserve marines, was supporting the points assailed, did, when the order for retreat was given by the commander of the allied army, make a sortie from the British lines. He struck General McIntosh's column in the flank and pursued the retiring troops as far as the abattis. See General Prevost's report of the engagement to Lord George Germain, dated Savannah, November 1, 1779. *Gentleman's Magazine* for 1779, pp. 633, 636.

where, under present circumstances, he should make the attack. The Count ordered that we should move more to the left, and by no means to interfere with the troops he was endeavoring to rally. In pursuing this direction we were thrown too much to the left, and, before we could reach Spring-Hill redoubt, we had to pass through Yamacraw swamp, then wet and boggy, with the galley at the mouth annoying our left flank with grape shot. While struggling through this morass, the firing slacked, and it was reported that the whole army had retired. I was sent by General McIntosh to look out from the Spring-Hill, where I found not an assailant standing. On reporting this to the General, he ordered a retreat which was effected without much loss, notwithstanding the heavy fire of grape shot with which we were followed."

While the assault was raging, Pulaski, with the approval of General Lincoln, attempted, at the head of some two hundred cavalrymen, to force a passage between the enemy's works. His purpose was to penetrate within the town, pass in rear of the hostile lines, and carry confusion and havoc into the British camp. In the execution of this design, he advanced at full speed until arrested by the abattis. Here his command encountered a heavy cross-fire from the batteries which threw it into confusion. The count himself was unhorsed by a canister shot which, penetrating his right thigh, inflicted a motal wound.[1] He was borne from the bloody field; and, after the conflict was over, was con-

[1] The last command uttered by the gallant Pole as he fell, wounded to the death, was: "Follow my Lancers to whom I have given the order of attack." Major Rogowski thus describes Pulaski's charge: "For half an hour the guns roared and blood flowed abundantly. Seeing an opening between the enemy's works Pulaski resolved, with his Legion and a small detachment of Georgia Cavalry, to charge through, enter the city, confuse the enemy, and cheer the inhabitants with good tidings. General Lincoln approved the daring plan. Imploring the help of the Almighty, Pulaski shouted to his men *forward*, and we, two hundred strong, rode at full speed after him, — the earth resounding under the hoofs of our chargers. For the first two moments all went well. We sped like knights into the peril. Just, however, as we passed the gap between the two batteries, a cross fire, like a pouring shower, confused our ranks. I looked around. Oh! sad moment, ever to be remembered, Pulaski lies prostrate on the ground! I leaped towards him, thinking possibly his wound was not dangerous, but a canister shot had pierced his thigh, and the blood was also flowing from his breast, probably from a second wound. Falling on my knees I tried to raise him. He said, in a faint voice, Jesus! Maria! Joseph! Further I knew not, for at that moment a musket ball, grazing my scalp, blinded me with blood and I fell to the ground in a state of insensibility."

Nine days before, Pulaski had lost his scapulars which the Nuncio had blessed during his stay at Crenstochowe. He regarded it as an evil omen, and advised Major Rogowski that he anticipated early death.



COUNT PULASKI.

C. Pulaski Jun. of Cavalry



veyed on board the United States brig Wasp to go round to Charlestown. The ship, delayed by head-winds, remained several days in Savannah River and, during this period, he was attended by the most skillful surgeons in the French fleet. It was found impossible to establish suppuration, and gangrene supervened. As the Wasp was leaving the river Pulaski breathed his last. His corpse became so offensive that Colonel Bentalou, his officer in attendance, "was compelled, though reluctantly, to consign to a watery grave all that was now left upon earth of his beloved and honored commander."

After the retreat of the assaulting columns from the right of the British lines, eighty men lay dead in the ditch and on the parapet of the redoubt first attacked, and ninety-three within the abattis. The ditch, says an eye-witness, was filled with dead. In front, for fifty yards, the field was covered with the slain. Many hung dead and wounded upon the abattis, and for some hundred yards without the lines the plain was strewed with mangled bodies killed by grape and langrage. The attacks upon the Ebenezer battery, the Spring-Hill redoubt, and the redoubt in which Colonel Maitland had located his headquarters were made with the utmost gallantry and impetuosity. Two standards were planted by the allied forces upon the Ebenezer battery; one of which was captured, and the other brought off by the brave Sergeant Jasper who, at the moment, was suffering from a mortal wound. Major John Jones, aid to General McIntosh, was literally cut in twain by a cannon shot while within a few paces of the embrasure from which the piece was discharged.

Of the valor and heroism of the assault there can be no question. That it was ill conceived and calamitous to the last degree is equally certain.

The left of the English line rested upon a heavy work, mounting fourteen cannon, located just where the bluff, upon which the town was situated, yields to the low grounds below. The line thence followed the high ground, where it looks to the east, until about the point where it is now intersected by Liberty Street. Then, bending to the south and west, it followed a semicircular course until it reached the point where the Augusta road descended into the low grounds on the west. Thence, running northwards and following the edge of the high ground, its right developed into a two-gun battery on the Savannah River. On the east and west the approaches to this line were rendered almost impracticable by swamps at that time badly drained. We

have already alluded to the precautions adopted by Prevost for the protection of the town where it looks upon the river. This line, at the time it was assaulted, was strong and bristling with more than one hundred guns in fixed position. Accurately advised in advance of the precise points of attack concerted by the allies, Prevost made his dispositions accordingly. His heaviest concentration occurred on his right, and to Lieutenant-Colonel Maitland was the defense of this post of honor and of danger entrusted.

While it is difficult to reconcile the conflicting estimates which have been handed down to us of the forces actually engaged during the siege of Savannah, we submit the following as the most accurate we have been able to prepare after a careful comparison of the most reliable authorities at command: —

STRENGTH OF THE FRENCH ARMY, COMMANDED BY COUNT D'ESTAING.

Noailles' Division, composed of the regiments of Champagne, Auxerrois, Foix, Guadeloupe, and Martinique	900 men.
The Division of Count d'Estaing, composed of the regiments of Cambresis, Hainault, the Volunteers of Berges, Agenois, Gatinois, the Cape, and Port-au-Prince, and the artillery	1,000 men.
Dillon's Division, composed of the regiments of Dillon, Armagnac, and Volunteer Grenadiers	900 men.
The Dragoons of Condé and of Belzunce, under the command of M. Dejean	50 men.
The Volunteer Chasseurs, commanded by M. de Rouvrai	750 men.
The Grenadier Volunteers, and men of other regiments, commanded by M. des Framais	356 men.
To these should probably be added the *Marines* and *Sailors* from the fleet, detailed for special labor to the number of	500 men.
Total	4,456 men.

STRENGTH OF THE AMERICAN ARMY, COMMANDED BY GENERAL LINCOLN.

Continental Troops, including the Fifth Regiment of South Carolina Infantry	1,003 men.
Heyward's Artillery	65 men.
Charlestown Volunteers and Militia	365 men.
General Williamson's Brigade	212 men.
Regiments of Georgia Militia, commanded by Colonels Twiggs and Few	232 men.
Cavalry, under command of Brigadier-General Count Pulaski	250 men.
Total	2,127 men.

RECAPITULATION.

French Troops	4,456
American	2,127
Total strength of the allied army	6,583

Anthony Stokes, chief justice of the colony of Georgia, who was in Savannah during the siege, estimates the besieging army at about 4,500 French and 2,500 Americans.

In the Paris "Gazette" of January 7, 1780, the besieging forces are enumerated as follows: —

FRENCH TROOPS.

I. *Europeans:* Draughted from the regiments of Armagnac, Champagne, Auxerrois, Agenois, Gatinois, Cambresis, Hainault, Foix, Dillon, Walsh, le Cap, la Guadeloupe, la Martinique, and Port-au-Prince, a detachment of the Royal Corps of Infantry of the Marine, the Volunteers of Vallelle, the Dragoons, and 156 Volunteer Grenadiers, lately raised at Cape François	2,979
II. *Colored:* Volunteer Chasseurs, mulattoes, and negroes newly raised at Saint Domingo	545
AMERICAN TROOPS	2,000
Total	5,524

In his inclosure to Lord George Germain, under date November 5, 1779, Governor Sir James Wright reports the British forces within the lines of Savannah during the siege, "including regulars, militia, sailors, and volunteers," as not exceeding twenty-three hundred and fifty men fit for duty.

By the legend accompanying Faden's "Plan of the Siege of Savannah," printed at Charing Cross on the 2d of February, 1784, we are informed that the total number of English troops, "including soldiers, seamen, and militia," garrisoning the forts, redoubts, and epaulements, and fit for duty on the 9th of October, 1779, was twenty-three hundred and sixty. "The force in Savannah under General Prevost," says that excellent historian, Stedman,[1] "did not exceed two thousand five hundred of all sorts, regulars, provincial corps, seamen, militia, and volunteers." Dr. Ramsay[2] states that "the force of the garrison was between two and three thousand, of which about one hundred and fifty were militia." General Moultrie, in his "Memoirs,"[3] substantially adopts this estimate. According to Captain Hugh McCall,[4] the British force "consisted of two thousand eight hundred and fifty men, including one hundred and fifty militia, some Indians, and three hundred armed slaves." In Rivington's "Gazette" it is asserted that the entire strength of the English garrison on duty, including regulars, militia, volunteers, and sailors, did not exceed two thousand three hundred and fifty men.

[1] *History of the American War*, vol. ii. p. 127. London. 1794.

[2] *History of the Revolution*, etc., vol. ii. p. 40. Trenton. MDCCLXXXV.

[3] Vol. ii. pp. 41, 42.

[4] *History of Georgia*, vol. ii. p. 270.

Upon an inspection of the returns, as we are informed by the French journal from which we have already quoted, Count d'Estaing ascertained that the allied army had suffered the following loss in killed and wounded: —

French soldiers	760 men.
French officers	61 men.
Americans	312 men.
Total	1,133 men.

The aggregate loss encountered by the combined French and American forces during the progress of the siege and in the assault of the 9th of October has been variously estimated at from one thousand to fifteen hundred killed and wounded. Dr. Ramsay asserts that the assaulting columns under Count d'Estaing and General McIntosh did not stand the enemy's fire more than fifty-five minutes, and that during this short period the French had six hundred and thirty-seven men killed and wounded, and the Americans two hundred and fifty-seven. "In this unsuccessful attempt," says Marshall,[1] "the loss of the French in killed and wounded was about seven hundred men. The continental troops lost two hundred and thirty-four men, and the Charleston militia, who, though united with them in danger, were more fortunate, had one Captain killed and six privates wounded." Irving,[2] in a general way, states that the French lost in killed and wounded upwards of six hundred men, and the Americans about four hundred. "Our troops," says General Moultrie,[3] "remained before the lines in this hot fire fifty-five minutes; the Generals, seeing no prospect of success, were constrained to order a retreat, after having six hundred and thirty-seven French and four hundred and fifty-seven Continentals killed and wounded." General Lee's estimate[4] accords substantially with that of Marshall. When driven out of the ditch and compelled to retreat, Stedman asserts[5] that the assailants left behind them, in killed and wounded, of the French troops six hundred and thirty-seven, and of the Americans two hundred and sixty-four.

General Prevost reports the allied loss at from one thousand to twelve hundred.

Thoroughly protected by their well-constructed earthworks,

[1] *Life of Washington*, vol. iv. p. 102. Philadelphia. 1805.

[2] *Life of Washington*, vol. iii. p. 522. New York. 1856.

[3] *Memoirs*, etc., vol. ii. p. 41. New York. 1802.

[4] *Memoirs*, vol. i. p. 109. Philadelphia. 1812.

[5] *History of the American War*, vol. ii. p. 131. London. 1794.

the English suffered but little. The few casualties reported in the British ranks and the terrible slaughter dealt out to the assaulting columns assure us how admirably Prevost had covered his men by intrenchments and redoubts and how skillfully and rapidly the besieged handled their muskets and field and siege pieces. General Prevost's return shows forty killed, sixty-three wounded, four missing, and forty-eight desertions during the siege. In a letter to his wife, dated Savannah, November 4, 1779, Captain T. W. Moore, aid to General Prevost, estimates the entire loss sustained by the garrison in killed, wounded, and missing at one hundred and sixty-three ; and Stedman says " the loss of the garrison, in the whole, did not exceed one hundred and twenty." So potent are military skill and proper defenses for the preservation of human life.

It is believed that about one thousand shells and twenty carcasses were thrown into the city during the continuance of the siege. Of the expenditure of solid shots we can find no record, although we know that they were freely used.

In the repulse of the French and Americans on the right of the city lines, the following English troops, under the general command of Colonel Maitland, were mainly engaged: —

Dismounted dragoons	28
Battalion men of the 60th regiment	28
South Carolina loyalists. They held the redoubts on the Ebenezer road where the brave Captain Tawse, commanding, fell	54
Colonel Hamilton's North Carolina loyalists	90
Militia under Captains Wallace, Tallemach, and Polhill. These were posted in the redoubt where Colonel Maitland was	75
Grenadiers of the 60th regiment	74
Marines. Ordered to support the redoubt, they bravely charged the allied army when the retreat was sounded	37
Sailors under the command of Captains Manley and Stiel, stationed in the Spring-Hill battery of six guns	31
	417

General Huger's attack upon the left was frustrated by troops under the command of Colonel Cruger and Major Wright.

The following is a list of the French officers killed and wounded on the 9th of October, 1779 : —

Killed : Brow, major of Dillon's regiment, colonel of infantry ; Balheon, midshipman ; Destinville, second lieutenant of the navy ; Molart, lieutenant of the regiment of Armagnac ; Stancey, second lieutenant of the Dragoons of Condé ; Taf, lieutenant of the regiment of Dillon ; Guillaume, lieutenant of the

Grenadiers of Guadeloupe; De Montaign, captain of the Chasseurs; Boisneuf, lieutenant of the regiment of Port au Prince; Du Perron, captain on staff duty. Total, 10.

Wounded: Count d'Estaing, general; De Fontanges, major-general; De Betizi, colonel, and second in command of the regiment of Gatinois; De Steding, colonel of infantry; Derneville, aide-major of division, mortally wounded; Chalignon, aide-major of division, mortally wounded; Boulan, captain of the Grenadiers of Armagnac; Grillere, captain of the regiment of Armagnac; Barris, captain of the regiment of Augenois; St. Sauveur, lieutenant of the regiment of Augenois; Chaussepred, lieutenant of the regiment of Augenois; Morege, second lieutenant of the regiment of Augenois; Chamson, lieutenant of the regiment of Cambresis; Coleau, lieutenant of the regiment of Cambresis; Boozel, lieutenant of the regiment of Cambresis; Oradon, second lieutenant of the regiment of Hainault; Labarre, lieutenant of the dragoons of Condé; Ouelle, captain of the regiment of Dillon; Doyon, lieutenant of the regiment of Dillon; Deloy, officer of the regiment of Dillon; Chr. de Termoi, cadet, of the regiment of Dillon; Dumouries, lieutenant of the regiment of the Cape; Desombrages, lieutenant of the regiment of the Cape; Delbos, second lieutenant of the regiment of the Cape; Desnoyers, major of the regiment of Guadeloupe; Roger, captain of the regiment of Guadeloupe; Noyelles, captain attached to the staff of the regiment of Guadeloupe; D'Anglemont, lieutenant of the Chasseurs of Guadeloupe; De Rousson, second lieutenant of the Chasseurs of Guadeloupe; Bailly de Menager, lieutenant of the regiment of Port au Prince, prisoner; Duclos, lieutenant of the volunteer Chasseurs. Total, 31.

The following are the names of some of the Continental and militia officers killed and wounded the same day: —

Killed: Major John Jones, aid to General McIntosh; Second Regiment, Major Motte, and Lieutenants Hume, Wickham, and Bush; Third Regiment, Major Wise and Lieutenant Bailey; General Williamson's Brigade, Captain Beraud; Charlestown Regiment, Captain Shepherd; South Carolina Artillery, Captain Donnom, Charles Price, a volunteer, and Sergeant William Jasper.

Wounded: Brigadier-General Count Pulaski, mortally; Major l'Enfant and Captains Bentalou, Giles, and Rogowski; Second Regiment, Captain Roux and Lieutenants Gray and Petrie; Third Regiment, Captain Farrar and Lieutenants Gaston and

De Saussure; Sixth Regiment, Captain Bowie; Virginia Levies, Lieutenants Parker and Walker; Light Infantry, Captain Smith, of the Third; Captains Warren and Hogan, of the Fifth; Lieutenant Vleland, of the Second, and Lieutenant Parsons, of the Fifth; South Carolina Militia, Captains Davis and Treville, and Lieutenants Bonneau, Wilkie, Wade, and Wardel; Lieutenant Edward Lloyd, Mr. Owen.

During the siege a number of Georgia officers who had no command and some patriotic gentlemen associated themselves together for active duty under the leadership of Colonel Leonard Marbury.[1] Although only thirty in all, four were killed and seven wounded. Of these were Charles Price, of Sunbury, a young attorney of note, and Lieutenant Bailey, whose names we have enumerated among the slain.

Among the incidents of the occasion, Captain McCall[2] records the following: While a surgeon was dressing the stump from which the arm of Lieutenant Edward Lloyd had been torn by a cannon ball, Major James Jackson observed to that excellent young officer that his prospects in life were rendered unpromising by this heavy burden which a cruel fate had imposed upon him. Lloyd replied that, grievous as the affliction was, he would not exchange situations with Lieutenant Stedman who had fled at the commencement of the assault.

The death of Sergeant Jasper was the logical sequence of the heroic impulses and intrepid daring which always characterized him. During the assault the colors of the Second South Carolina Regiment, which had been presented by Mrs. Elliott just after the battle of Fort Moultrie, were borne, one by Lieutenant Bush, supported by Jasper, and the other by Lieutenant Grey, supported by Sergeant McDonald. Under the inspiring leadership of Colonel Laurens they were both planted upon the slope of the Spring-Hill redoubt. So terrific, however, was the enemy's fire that the brave assailants melted before it. Lieutenant Grey was mortally wounded just by his colors, and Lieutenant Bush lost his life under similar circumstances.

When the retreat was sounded, Sergeant McDonald plucked his standard from the redoubt where it had been floating on the furthest verge of the crimson tide and retired with it in safety. Jasper, already sore wounded, was, at the moment, endeavoring

[1] Charlton's *Life of Major-General James Jackson*, Part I. p. 16. Augusta, Georgia. 1809.

[2] Quoting from Charlton's *Life of Major-General James Jackson*, Part I. p. 17. Augusta, Georgia. 1809.

to replace upon the parapet the colors which had been struck down upon the fall of Lieutenant Bush, when he encountered a second and a mortal hurt. Recollecting, however, even in this moment of supreme agony, the pledges given when from fair hands this emblem of hope and confidence had been received, and, summoning his expiring energies for the final effort, he snatched those colors from the grasp of the triumphant enemy and bore them from the bloody field.

Hearing that he was fatally wounded, Major Horry, when the battle was over, hastened to the rude couch of the bleeding sergeant and thus details the conversation which ensued. "I have got my furlough," said he; and, pointing to his sword, continued: "That sword was presented to me by Governor Rutledge for my services in the defense of Fort Moultrie. Give it to my father, and tell him I have worn it with honor. If he should weep, say to him his son died in the hope of a better life. Tell Mrs. Elliott that I lost my life supporting the colors which she presented to our regiment." Then, from out the bright visions of his former achievements as they floated for the last time before his dying memory selecting his success at the Spring, and repeating the names of those whom he there rescued, he added: "Should you ever see them, tell them that Jasper is gone, but that the remembrance of the battle he fought for them brought a secret joy to his heart when it was about to stop its motion forever."

Thus thinking and thus speaking, the gallant sergeant and the true patriot closed his eyes upon the Revolution and entered into peace. The place of his sepulture is unmarked. He sleeps with the brave dead of the siege who lie beneath the soil of Savannah. Although no monumental shaft designates his grave, his heroic memory is perpetuated in the gentle murmurs of that perennial spring at which one of his most generous and daring deeds was wrought. His name is day by day repeated in a ward of the beautiful city of Oglethorpe whose liberation he died to achieve, is inscribed upon the flag of one of the volunteer companies, and dignifies a county of Georgia whose independence he gave his life to maintain.

Invoking the aid of an eminent sculptor to embody their gratitude and respect in a permanent, artistic memorial, the citizens of Savannah, with imposing ceremonies, dedicated in Monterey Square to the memory of Count Pulaski a monument which, in purity of conception, symmetry of form, and varied attractions, stands at once a gem of art and a noble expression of a people's gratitude.

The day is not far distant when, in another of the high places of this city, shall rise a shaft testifying the admiration of the present and the coming generations for the distinguished services, unselfish devotion, and heroic death of Sergeant William Jasper.[1]

Upon the withdrawal of the French and American forces from the field, a truce of four hours was requested and allowed for burying the dead and collecting the wounded. To the allied army was accorded the melancholy privilege of interring only such of the slain as lay beyond the abattis. The bodies of such as were killed within the abattis were buried by the British; and there they remain to this day without mound or column to designate their last resting-places.

It is stated by Captain McCall that two hundred and thirty of the slain and one hundred and sixteen wounded were delivered up by the English, with the understanding that the latter should be accounted for as prisoners of war.

Although urged by General Lincoln not to abandon the siege,[2] the grievous loss sustained during the assault, the prevalence of sickness in camp, frequent desertions, the exposed and impoverished condition of his fleet, and the apprehension of the appear-

[1] It is a pleasing thought that the patriotic citizens of Savannah, mindful of the heroic memories which this brave sergeant bequeathed to our Revolutionary annals, are soliciting subscriptions and inaugurating measures which will soon culminate in the erection of a worthy monument to William Jasper in one of the central squares in the city of Oglethorpe. Its corner-stone has already been laid with appropriate ceremonies.

[2] It would appear that the Americans at first were not inclined to regard this repulse as decisive of the contest, but that they still cherished the hope of capturing Savannah. In proof of this, we refer to a letter addressed by General Charles Cotesworth Pinckney [then colonel commanding the first South Carolina regiment] to his mother [the original of which lies before us], from which we make the following extract: —

"CAMP BEFORE SAVANNAH,
October 9, 1779.

"HONᴰ MADAM: I acquainted my dear Sally this morning that about daybreak we had made an assault on the Enemy's Lines and were repulsed, owing chiefly to those who said they knew the way for the different Columns to take & who were to be our guides not being such masters of the ground as they ought to have been. My Brother, Mr. Horry, Hugh Rutledge, Major Butler, Mr. R. Smith, Ladson, Gadsden, my Cousins, and most of our Friends are well. Major Wise & Major Motte are killed: Count D'Estaing wounded, not dangerously: Count Pulaski also wounded, I am afraid mortally: Jack Jones [Major John Jones, aid to General Lachlan McIntosh], a nephew of my Cousin Charles [the father of the Honorable Charles Pinckney, governor of South Carolina, etc.], is killed.

"The Repulse seems not to dispirit our men, as they are convinced it was only owing to a mistake of the ground, & I have not the least doubt but that we shall soon be in possession of Savannah.

"My regiment and the Sixth preserved their order inviolable, & gave me great satisfaction: the Charlestown Militia, particularly the Volunteer Company, behaved exceedingly well."

ance of a British naval force off the coast induced Count d'Estaing to hasten his departure. Accordingly, he resolved at once to raise the siege, and, on the morning of the 10th, gave orders for dismantling the batteries and returning the guns on shipboard. Causton's Bluff was selected as the point for embarkation. With a view to protecting this avenue of retreat, two hundred and ninety-two men were detailed from the regiments of Armagnac and Auxerrois and from the marines, and posted at three points to the east of Savannah.

On the 15th, M. de Bretigny arrived from Charlestown and requested Count d'Estaing to send nine hundred French troops for the protection of that city. The requisition was refused. Desertions from the ranks of the allied army multiplied daily. During the removal of their guns, munitions, and camp equipage, the French were not interrupted by the English.

The Virginia, Carolina, and Georgia militia withdrew by land on the 15th, and there remained with the French troops only the regulars and Pulaski's command.

At ten o'clock on the morning of the 18th the tents and camp utensils were placed in wagons, and, the same day, were transported to the point of embarkation. At eleven o'clock at night the Americans moved to the left and the French to the right, and thus the camp before Savannah was broken up. General Lincoln then marched for Zubly's ferry, *en route* for Charlestown. The French proceeded only about two miles in the direction of Causton's Bluff where they halted for the night and remained until the ensuing day that they might be near enough to assist General Lincoln in the event that the English attempted on this side the river to interrupt his retreat.

Causton's Bluff was reached at five o'clock on Tuesday morning, the 19th of October, and the work of embarkation commenced. It was completed by the 21st, when, in the language of the French journal, "Causton's Creek and all Georgia are evacuated."

The following English vessels were captured by the French fleet while upon the Georgia coast: the ship Experiment, of fifty guns, having on board Major-General Garth, thirty thousand pounds sterling, and a large quantity of army stores; the ship Ariel, of twenty guns; the Myrtle, a victualer; the Champion, a store-ship; the ship Fame; the ship Victory, richly freighted, and several small sloops, schooners, and coasting vessels laden with rice and flour. Two privateer sloops, of ten guns each, and

three schooners were taken in Great Ogeechee River by Colonel White. In addition, the British were forced to sink the ships Rose and Savannah and four transports in a narrow part of the Savannah River, below the town, to prevent the ascent of the French men-of-war. Several vessels were also sunk above Savannah to preclude the near approach of the French and American galleys, which, passing up the North River and rounding Hutchinson's Island, threatened an attack from that direction.

The following is a list of the French vessels of war under the command of Admiral the Count d'Estaing, concentrated on the Georgia coast during the operations against Savannah: —

First Division: Commanded by Bougainville.

Le Guerrier, 74 guns.
Le Magnifique, 74 guns.
Le Cæsar, 74 guns.
Le Vengeur, 74 guns.
Le Provence, 64 guns.
Le Marseilles, 64 guns.
Le Fantasque, 64 guns.

Second Division: Commanded by Count d'Estaing.

Le Languedoc, 74 guns.
Le Robuste, 74 guns.
Le Zele, 74 guns.
L'Annibal, 74 guns.
Le Valliant, 74 guns.
L'Artesien, 64 guns.
Le Sagittaire, 54 guns.

Third Division: Commanded by M. de Vaudreuil.

Le Tonant, 80 guns.
Le Diademe, 74 guns.
Le Hector, 74 guns.
Le Dauphin Royal, 70 guns.
Le Royal 70 guns.
Le Fendant, 74 guns.
Le Reflechè, 64 guns.
Le Sphynx, 64 guns.
Le Roderique, store-ship.

Frigates.

Le Fortuné, 38 guns.
L'Amazon, 36 guns.
L'Iphigenie, 36 guns.
La Blanche, 36 guns.
La Chimère, 36 guns.
La Boudeuse, 36 guns.
La Bricole, 36 guns, armed store-ship.
La Lys, 18 guns.
La Truite.

After the lapse of a century we are not inclined to dwell upon the mistakes committed during the conduct of this memorable siege. The overweening confidence of Count d'Estaing in the superiority of his arms; his eagerness, at the outset, to pluck the laurel of victory and entwine it around his individual brow; his manifest error in not insisting upon an immediate response to his summons for surrender; his delay in not assaulting at the earliest moment when the English defensive lines were incomplete and poorly armed, and when Colonel Maitland and his splendid command formed no part of the garrison; the injudicious selection of a point for attack; and the confusion and lack of concert which

prevailed in conducting the columns of assault against the enemy's works, may fairly be criticised. But we forbear. We prefer to recall only the generosity which prompted the alliance, the valor which characterized the troops, and the heroic action which has given to the history of Savannah and the State of Georgia a chapter than which none is bloodier, braver, or more noteworthy.

Errors of judgment belong to the past, while the fraternity evolved, the patriotism displayed, and the examples of courage, patient endurance, and glorious death born of the event constitute now and will continue to form subjects of special boast.

Bitter was the disappointment experienced by the Americans at this disastrous result. From the coöperation of the French the most decided and fortunate issue had been anticipated. Generously couched was General Lincoln's letter to Congress: "Count d'Estaing has undoubtedly the interest of America much at heart. This he has evidenced by coming over to our assistance, by his constant attention during the siege, his undertaking to reduce the enemy by assault when he despaired of effecting it otherwise, and by bravely putting himself at the head of his troops and leading them to the attack. In our service he has freely bled. I feel much for him; for while he is suffering the distresses of painful wounds on a boisterous ocean, he has to combat chagrin. I hope he will be consoled by an assurance that although he has not succeeded according to his wishes and those of America, we regard with high approbation his intentions to serve us, and that his want of success will not lessen our ideas of his merit."

We cannot resist the temptation to introduce here the following estimate of the character of Count d'Estaing expressed by one of his naval officers when commenting upon the failure of the effort to capture Savannah. Our translation is literal. "Covetous of glory, excited by his successes, and easily seduced by an invitation from the Sieur de Bretigny who made him believe that the conquest of Savannah was an easy matter, Count d'Estaing was unable to resist a desire, rising superior to the hazard, to attempt to add new triumphs to those which he had already achieved.

"If zeal, activity, eagerness, and ambition to accomplish great deeds are worthy of recompense, never will France be able sufficiently to acknowledge her obligations to Count d'Estaing. With much intelligence, he possesses the enthusiasm and the fire of a

man twenty years of age. Enterprising, bold even to temerity, all things appear possible to him. He fancies no representations which bring home to him a knowledge of difficulties. Whoever dares to describe them as formidable is illy received. He wishes every one to view and to think of his plans as he does. The sailors believe him inhuman. Many died upbraiding him with their misery and unwilling to pardon him; but this is a reproach incident to his austere mode of life, because he is cruel to himself. We have seen him, sick and attacked with scurvy, never desiring to make use of any remedies, working night and day, sleeping only an hour after dinner, his head resting upon his hands, sometimes lying down, but without undressing.

"Thus have we observed Count d'Estaing during this campaign. There is not a man in his fleet who would believe that he has endured all the fatigue which he has undergone. When I am now asked if he is a good General, it is difficult for me to respond to this inquiry, He committed much to chance, and played largely the game of hazard. But that he was energetic, adventurous almost to rashness, indefatigable in his enterprises which he conducted with an ardor of which, had we not followed him, we could have formed no conception, and that to all this he added much intellect, and a temper which imparted great austerity to his character, we are forced to admit."

In testimony of respect for his meritorious services the General Assembly of Georgia granted twenty thousand acres of land to Count d'Estaing and admitted him to all the privileges, liberties, and immunities of a free citizen of the State.

The exultation of the English garrison was, on the 25th of October, mingled with grief at the sudden death of Colonel Maitland. Some say that he was carried off by a fever contracted at Beaufort. Others affirm that he fell a victim to intemperance. He was a brilliant officer and an accomplished gentleman.[1]

After the departure of Count d'Estaing and the retreat of General Lincoln, the condition of Savannah and the sea-coast of Georgia became more pitiable than ever. Exasperated by the formidable demonstration which, at the outset, seriously threatened the overthrow of British dominion in Georgia, and rendered more ar-

[1] He was a brother of James, Earl of Lauderdale, and a member of Parliament for the district of Haddington, Dunbar, North Berwick, Lawder, and Jedburgh. Sincerely was his demise lamented in England, and touching were the tributes rendered to his memory. See *Savannah, a Poem in two Cantos, to the Memory of the Honourable Colonel John Maitland.* By Mr. Colville. London. MDCCLXXX.

rogant and exacting, the loyalists set out in every direction upon missions of insult, pillage, and inhumanity. Plundering banditti roved about unrestrained, seizing negroes, stock, furniture, wearing apparel, plate, jewels, and anything they coveted. Children were severely beaten to compel a revelation of the places where their parents had concealed or were supposed to have hidden valuable personal property and money. Confiscation of property and incarceration or expatriation were the only alternatives presented to those who clave to the cause of the Revolutionists. So poor were many of the inhabitants that they could not command the means requisite to venture upon a removal. Even under such circumstances not a few, on foot, sought an asylum in South Carolina. Among the principal sufferers may be mentioned the families of General McIntosh, Colonel John Twiggs, and Colonel Elijah Clarke. Georgia was under the yoke; and she was forced to pay the penalty of unsuccessful rebellion, rendered tenfold more grievous because of this recent formidable attempt to expel from her borders the civil and military servants of the king. The ribald language and licentious conduct of the soldiery, coupled with the insults of lawless negroes, rendered a residence in Savannah by all not in sympathy with the Crown, and especially by the weaker sex, almost beyond endurance. Far and near the region had experienced the desolations of war. "The rage between Whig and Tory ran so high," says General Moultrie, "that what was called a Georgia parole, and to be shot down, were synonymous." So stringent, too, were the restrictions upon trade, such was the depreciation of the paper currency, and so sadly interrupted were all agricultural and commercial adventures, that poverty and distress were the common heritage. At this time sixteen hundred and eighteen dollars, paper money, were the equivalent of one dollar in gold.[1]

[1] "We talked of millions," remarks General Moultrie, "and in fact it was next to nothing. There was one conveniency in it, which was that a couple of men on horseback, with their bags, could convey a million of dollars from one end of the continent to the other in a little time with great facility." *Memoirs of the American Revolution*, vol. ii. p. 35. New York. 1802.

CHAPTER XXII.

GOVERNOR WRIGHT'S OPPRESSIVE REGULATIONS. — DEPLORABLE CONDITION OF SAVANNAH. — MEMBERS OF THE ROYAL COMMONS HOUSE OF ASSEMBLY. — ACTS OF CONFISCATION. — PARTIES AFFECTED. — CALAMITIES OF A DIVIDED GOVERNMENT. — ACTS OF THE ROYAL GENERAL ASSEMBLY. — EFFORTS TO FORTIFY SAVANNAH. — POLITICAL AFFAIRS OF GEORGIA AS ADMINISTERED BY THE SUPREME COUNCIL OF SAFETY. — PROCLAMATION OF GOVERNOR WEREAT. — TWO EXECUTIVE COUNCILS IN BEING. — PATRIOTIC MANIFESTO OF THE LEGITIMATE COUNCIL. — CASE OF GENERAL LACHLAN MCINTOSH. — THE GLASCOCK LETTER. — WALTON'S COMPLICITY. — THE FORGERY UNMASKED. — GOVERNOR GEORGE WALTON. — GOVERNOR RICHARD HOWLEY. — THE CAPITAL TRANSFERRED TO HEARD'S FORT. — PRESIDENT GEORGE WELLS. — PRESIDENT STEPHEN HEARD. — PRESIDENT MYRICK DAVIES. — THE DOCTRINE OF "UTI POSSIDETIS." — GOVERNOR NATHAN BROWNSON. — REORGANIZATION OF THE STATE GOVERNMENT. — GOVERNOR JOHN MARTIN. — COMPLIMENTARY RESOLUTIONS TO GENERALS GREENE AND WAYNE, AND TO COLONEL ELIJAH CLARKE. — THE LEGISLATURE ASSEMBLES AT EBENEZER, AND ONCE MORE AT SAVANNAH. — RESOLUTIONS AND PRUDENTIAL RESTRICTIONS. — REVIEW OF THE PERIPATETIC GOVERNMENT OF GEORGIA DURING THE REVOLUTION. — COLONIAL RECORDS.

So thoroughly were the republican inhabitants of Southern Georgia overwhelmed by the disappointment consequent upon the disastrous failure of the allied army to capture Savannah, so entirely were they enfeebled and deserted upon the withdrawal of the American and French forces, and so completely did they find themselves in the power of the king's troops that they were brought to the very verge of despair. Organized resistance was out of the question, and their lamentable condition was rendered even more deplorable by the enforcement of orders promulgated by Governor Wright.

To "check the spirit of rebellion," he compelled all who could have joined in the defense of Savannah, but who did not do so, "to give a very circumstantial account of their conduct during the siege." Those of the lower class whom he did not deem "materially culpable" he constrained to furnish security for their good behavior for twelve months. Bonds were exacted of each of them to the amount of £100 sterling, with two sureties,

each justifying in the sum of £50. They were also required to swear allegiance to the Crown, and to subscribe a special test oath. Such as appeared to have "offended capitally" he caused to be committed and to be prosecuted for high treason.[1]

A proclamation was issued appointing the 29th of October, 1779, as a day of public thanksgiving to Almighty God for "His divine interposition" and "signal protection" displayed in the "late deliverance from the united efforts of rebellion and our natural enemies." Other proclamations, both by Governor Wright and the military authorities, promised protection to all Georgians who would lay down their arms and submit peacefully to the restoration of English rule. Believing that all was lost, and beguiled by these offers of quiet and life, not a few of the inhabitants returned to their former allegiance to the realm.

So seriously had Savannah been endamaged by the cannon and mortars of the allied army; so sadly had its churches and public buildings been impaired by conversion into hospitals, storehouses, and barracks; and so polluted were many private structures by the presence of wanton soldiers and filthy negroes, that the early and thorough restoration of the town to order and cleanliness demanded and received the earnest attention of Sir James Wright. The wretched condition of affairs was rendered even more frightful by the appearance of that loathsome pest, the small-pox, and by the insubordination of the slave population which, having been armed and put to work in the trenches during the continuance of the siege, now that the danger was overpast, refused in many instances to return to obedience and former servitude. Inoculation and severe measures, however, succeeded in restoring health and comparative security to this unhappy community.

Desiring to convoke a legislative assembly, and yet apprehending, in the distracted state of the country, that only a partial representation could be secured from the parishes constituting the province as recognized by the royal government, the governor and council referred the matter to Chief Justice Anthony Stokes and Attorney-General James Robertson for advice.

Those gentlemen, on the 15th of November, 1779, reported that in their judgment "writs of election ought to be issued in the usual form for all the parishes and districts that sent members to the last Assembly." They expressed the further opinion

[1] See communication to Lord George Germain, dated Savannah in Georgia, the 6th of November, 1779.

that "if there should be any parish or district without freeholders qualified to elect, or if through the invasion or vicinity of the rebels the provost-marshal cannot venture to proceed to an election, then he must return such special matter along with the writs of election, and verify it by affidavits. Such a Commons House of Assembly, convened with the precautions above mentioned, we conceive would be a lawful representation of the whole Province."

Acting upon this advice, the governor and council caused writs of election to be issued returnable on the 5th of May, 1780.

In due course the following persons were reported to council as having been elected members of the Commons House of Assembly:

For the town and district of Savannah: Samuel Farley, James Mossman, John Simpson, and James Robertson.

For Little Ogeechee in Christ Church Parish: William Jones.

For Great Ogeechee and St. Philip's Parish: James Butler, Thomas Goldsmith, and Simon Munro.

For Midway and St. John's Parish: John Irvine and Joseph Fox.

For Goshen and Abercorn in St. Matthew's Parish: Samuel Douglass.

For Ebenezer and St. Matthew's Parish: Alexander Wright, Basil Cowper, and Nathaniel Hall.

For Acton in Christ Church Parish: David Zubly.

For Vernonburg, in Christ Church Parish: Basil Cowper.

For Wilmington, Tybee, etc.: Philip Yonge.

For St. Andrew's Parish: Robert Baillie and James Spalding.

For Frederica and St. James' Parish: William Panton.

For St. David's Parish: Samuel Douglass.

For St. Patrick's Parish: Robert Porteous.

For St. Thomas' Parish: Simon Paterson.

For St. Mary's Parish: William Ross.

For Halifax and St. George's Parish: Alexander Wylly and John Henderson.

Although twenty-six members had thus been returned, only fifteen appeared at Savannah and qualified. Prior assemblies having fixed the constitutional quorum at eighteen, including the speaker, Governor Wright was undecided as to the propriety of permitting the Commons House of Assembly to perfect its organization and proceed to business. Having conferred with his council it was resolved, in view of the necessities of the case

and the division of sentiment existing in the province, that the members assembled should be recognized as sufficient in number and that they should be empowered to organize.

Thereupon the members present elected a speaker and proceeded to the transaction of business.

The republican legislature had, on the 1st of March, 1778, passed an act attainting of high treason various parties in Georgia who clave to the fortunes of the Crown, confiscating to the State their property, both real and personal, and appointing boards of commissioners for the purpose of selling such confiscated estates.[1] The following are the names of the parties affected by the provisions of that act: Sir James Wright, John Graham, Henry Yonge, Junior, William Morse, Robert Smith, James Hume, William John Yonge, Charles William McKennin, George Barry, Alexander Wylly, William Johnston, John Lightenstone, John Mulryne, Josiah Tattnall, William McGillivray, John Joachim Zubly, George Kincaid, John Hume, Joseph Farley, Robert Reid, Thomas Reid, John Bond Randell, Henry Yonge, Senior, Philip Yonge, James Robertson, James Brown (schoolmaster), David Johnson, Alexander McGoun, William Simes, John Inglis, Peter Dean, Thomas Johnson, George Bosland, James Johnston, James Downey, William Trintfield, George McCaully, John Jameison, Andrew Hewitt, George Baillaie, George Webb, John Love, of Effingham County, Joseph Johnston, John Johnston, George Wilds, William Love, Charles Hall, James Moore, Samuel Moore, John Hubbard, Matthew Marshal, Joseph Marshal, Thomas Brown (late of the ceded lands), Thomas Scott (late of the ponds on Ogeechee, in Wilkes County), William Fraser, Timothy Hollingsworth, Valentine Hollingsworth, William McDonald, John McDonald, John McDonald (tailor), William Ross (late of St. Andrew's Parish), Daniel McLeod, Alexander Baillie, Alexander McDonald, David Ross, Daniel McDonald, Roderick McIntosh, Angus Bacon, Thomas Young, Simon Munro, Simon Patterson, William Lyford, Robert Baillie, James Kitching, Roger Kelsall, James Spalding, Robert Porteous, Alexander Creighton, Robert Moodie, William Clark (late of St. Andrew's Parish), James Chapman, Charles Watts, William Bosomworth, Sampson Williams, Garret Vinsant, George Vinsant, Daniel McGurth, James McGurth,

[1] See Watkins' *Digest*, p. 208. Philadelphia. 1800. This act was amended by another passed on the 4th of May, 1782, confiscating the estates of additional parties declared guilty of treason. Watkins' *Digest*, p. 242.

George Proctor, James Shivers, John Speier, John Martin (of Jekyll Island), John Frost, William Frost, Cornelius Dunn, John Dunn, John Pettinger, Robert Abrams (hatter), Joseph Rains (late of the parish of St. David), Basil Cowper, Junior, Thomas Stringer, John Hopkins (pilot), William Oldes, William Colville (pilot), John Murray, Anthony Stokes, John Wood (late of Savannah, merchant), James Edward Powell, Jermyn Wright, Charles Wright, Thomas Eatton, James Tayler (merchant), George Finch, Philip Moore, William Panton, John Simpson (Sabine Fields), and Charles McCulloch (late of Savannah).

These were, one and all, adjudged guilty of high treason against Georgia, and their lands and personal property were declared confiscate to the State. Among them were the king's servants included, many of whom had fled. The provisions of this act had been but partially executed when the capture of Savannah, in December, 1778, by the royal forces, and the subjugation of the larger part of Georgia completely changed the aspect of affairs, and, to a very great extent, rendered nugatory this severe legislation.

It was now within the power of the Royalists to return like for like, and so they did without hesitation or show of mercy. By the General Assembly which convened in Savannah in May, 1780, two retaliatory acts were passed: one attainting of high treason various republicans, therein named, who were either absent from Georgia or in that portion of the province which was still in a state of rebellion against his majesty, and vesting their real and personal estate in the Crown; the other disqualifying the parties indicated, and rendering them ever afterwards incapable of holding or exercising any office of trust, honor, or profit within the limits of Georgia.

The following is a list of those mentioned in this last act. It will be noted that it was designed to embrace every prominent Georgian in sympathy with the rebellion: —

1. John Houstoun, rebel governor.
2. John Adam Treutlen, rebel governor.
3. Lachlan McIntosh, rebel general.
4. George Walton, member of rebel congress.
5. William Stephens, rebel attorney-general.
6. John McClure, rebel major.
7. Joseph Clay, rebel paymaster-general.
8. N. Wymberley Jones, speaker rebel assembly.
9. Mordecai Sheftall, chairman, rebel provincial commissary department.
10. William O'Bryan, rebel treasurer.
11. John Wereat, rebel counselor.
12. Edward Telfair, member of rebel congress.

13. Edward Davies, member of rebel assembly.
14. Samuel Elbert, rebel general.
15. Seth John Cuthbert, rebel major.
16. William Holsendorf, rebel counselor.
17. Richard Howley, rebel governor.
18. George Galphin, rebel superintendent Indian affairs.
19. Andrew Williamson, rebel general.
20. John White, rebel colonel.
21. Nehemiah Wade, rebel treasurer.
22. John Twiggs, rebel colonel.
23. William Few, rebel counselor.
24. Edward Langworthy, rebel delegate.
25. William Glasscock, rebel counselor.
26. Robert Walton, rebel commissioner of forfeited estates.
27. Joseph Wood, Jr., clerk to the rebel assembly.
28. —— Piggin, rebel colonel.
29. William Hornby, distiller.
30. Peirce Butler, rebel officer.
31. Joseph Wood, member of the rebel congress.
32. Rev. William Peircy, clerk.
33. Thomas Savage, planter.
34. Thomas Stone, rebel counselor.
35. Benjamin Andrew, president of the rebel council.
36. John Baker, Senr., rebel colonel.
37. William Baker, rebel officer.
38. Francis Brown, planter.
39. Nathan Brownson, member of rebel congress.
40. John Hardy, captain of a rebel galley.
41. Thomas Morris, rebel officer.
42. Samuel Miller, rebel assembly.
43. Thomas Maxwell, planter.
44. Joseph Woodruff.
45. Joseph Oswald, planter.
46. Josiah Powell, planter.
47. Samuel Saltus, committeeman.
48. John Sandiford, planter.
49. Peter Tarling, rebel officer.
50. Oliver Bowen, rebel commodore.
51. Lyman Hall, member of the rebel congress.
52. Andrew Moore, planter.
53. Joshua Inman, planter.
54. John Dooly, rebel colonel.
55. John Glen, rebel chief justice.
56. Richard Wyley, president of the rebel council.
57. Adam Fowler Brisbane, rebel counselor.
58. Shem Butler, rebel assemblyman.
59. Joseph Habersham, rebel colonel.
60. John Stirk, rebel colonel.
61. Raymond Demere.
62. Charles Odingsell, rebel captain.
63. William Peacock, rebel counselor.
64. John Bradley, captain rebel galley.
65. Joseph Reynolds, bricklayer.
66. Rudolph Strohaker, butcher.
67. Charles Cope, butcher.
68. Lewis Cope, rebel butcher.
69. Hepworth Carter, rebel captain.
70. Stephen Johnston, butcher.
71. John McIntosh, Jr., rebel colonel.
72. James Houstoun, surgeon.
73. James Habersham, merchant.
74. John Habersham, rebel major.
75. John Milledge, Jr., rebel assemblyman.
76. Levi Sheftall, butcher.
77. Philip Jacob Cohen, shopkeeper.
78. John Sutcliffe, shopkeeper.
79. Jonathan Bryan, rebel counselor.
80. John Spencer, rebel officer.
81. John Holmes, clerk.
82. William Gibbons, the elder, rebel counselor.
83. Sheftall Sheftall, rebel officer.
84. Philip Minis, shopkeeper.
85. Coshman Polock, shopkeeper.
86. Robert Hamilton, attorney-at-law.
87. Benjamin Lloyd, rebel officer.
88. James Alexander, rebel officer.
89. John Jenkins, rebel assemblyman.
90. Samuel Stirk, rebel secretary.

91. Philip Densler, yeoman.
92. Henry Cuyler, rebel officer.
93. Joseph Gibbons, rebel assemblyman.
94. Ebenezer Smith Platt, shopkeeper.
95. Matthew Griffin, planter.
96. Peter Deveaux, gentleman.
97. Benjamin Odingsell, rebel officer.
98. John Gibbons, vendue master.
99. John Smith, planter.
100. William Le Conte, rebel counselor.
101. Charles Francis Chevalier, rebel counselor.
102. Peter Chambers, shopkeeper.
103. Thomas Washington, rebel officer.
104. Elisha Maxwell, planter.
105. Thomas Maxwell, Jr., rebel major.
106. William Gibbons, the younger, planter.
107. William Davis, rebel officer.
108. John Graves, yeoman.
109. Charles Kent, rebel counselor.
110. John Bacon, mariner.
111. Nathaniel Saxton, tavernkeeper.
112. Philip Lowe, rebel officer.
113. Samuel Spencer, mariner.
114. John Winn, Senr., planter.
115. Deveaux Jarrat, rebel assemblyman.
116. Samuel West, gentleman.
117. Josiah Dupont, planter.
118. James Pugh, planter.
119. Frederic Pugh, planter.
120. James Rae, planter.
121. James Martin, planter.
122. John Martin, rebel sheriff.
123. Thomas Pace, rebel officer.
124. Benjamin Fell, rebel officer.
125. Dionysius Wright, planter.
126. Chesley Bostick, shopkeeper.
127. Littleberry Bostick, planter.
128. Leonard Marbury, rebel officer.
129. John Sharp, planter.
130. James Harris, planter.
131. Henry Jones, rebel colonel.
132. Hugh McGee, rebel captain.
133. John Wilson, gentleman.
134. George Wyche, rebel officer.
135. William Candler, rebel officer.
136. Zechariah Tenn, planter.
137. William McIntosh, rebel colonel.
138. David Bradie, surgeon.
139. Andrew McLean, merchant.
140. Sir Patrick Houstoun, baronet.
141. McCartin Campbell, merchant.
142. James Gordon, planter.
143. John Kell, gentleman.
144. John McLean, planter.
145. John Snider, planter.
146. John Elliott, rebel officer.
147. Thomas Elliott, rebel officer.
148. Richard Swinney, yeoman.
149. Hugh Middleton, rebel officer.
150. Job Pray, mariner.
151. Josiah McLean, planter.

In forwarding a copy of this disqualifying act for the approval of the home government Sir James Wright remarks to Lord George Germain:[1] "This Bill, my Lord, I judged very necessary for his Majesty's service, as some kind of punishment to Delinquents & check to Rebellion, and indeed for the support of Government & the peace & quiet of the Inhabitants; for by it they were not only disabled as in the Title, but they are disqualified from serving on Jurys, from sitting as Members of the Assembly, & are disarm'd & oblig'd to take the State Oaths & a new Test, also to find security for their good behaviour &c."

[1] Letter of July 17, 1780. P. R. O., Am. & W. Ind., vol. ccxxxvii.

Behold the fearful condition of affairs in Georgia! Royalists and Republicans contending for the mastery not only with arms, but each, by solemn legislation, denouncing the other as traitors and declaring private property a spoil to that government which could first lay hands upon it. Surely no darker picture was ever painted in the history of civil wars, the most bloody and unrelenting of all strifes. The devastating tread of contending armies, pushed backwards and forwards over the face of a smitten country, crushing the life out of habitations and filling the land with marks of desolation and the scars of battle, is terrible; but far more severe is that fratricidal conflict which disrupts the ties of blood, unseats mercy, dethrones humanity, abolishes the right to private property, and gives the region to general confiscation, plunder, and murder. Other States there were within whose borders were heard, during the progress of the Revolution, the sounds of broader battles, but truly none can be named in which the calamities of a divided government and the horrors of internecine dissensions were more pronounced.

Aside from the two bills which have been mentioned, the acts of this General Assembly possess no special significance.[1] It was on the 10th of July prorogued to the 1st of November, 1780.

Prior, however, to the time announced for the reassembling of its members Augusta was besieged by the Revolutionists, and Colonel Brown and his command found themselves in a situation of great distress and peril. Yielding to the exigency of the period and the solicitations of his council, Governor Wright convened the General Assembly on the 25th of September. Alluding to the effort made to capture Augusta, commenting upon the fact that the spirit of rebellion was not crushed, and insisting that rigorous measures were still required to subdue certain portions of the province, he urged upon the General Assembly the propriety and the necessity of passing the following acts:—

I. To compel persons dwelling in and near Savannah and Augusta forthwith to render an account of all male slaves owned by them, between the ages of sixteen and sixty, and to send such of them as might be deemed necessary, with suitable tools, to work upon and complete the fortifications of those towns.

II. Rendering it obligatory upon the male inhabitants of those towns, who were not the owners of slaves, to labor themselves, or

[1] See an enumeration of the acts passed, in a communication from Governor Wright to Lord George Germain, dated Savannah, 17th July, 1780. P. R. O., Am. & W. Ind., vol. ccxxxvii.

to act as overseers in the construction of the contemplated defensive works.

III. To invest proper parties with the authority to impress horses, carts, and teams for service upon the public defenses. And

IV. To revise the militia laws, — rendering them more stringent in their provisions and more certain in their operation, — and also to inquire into the propriety of organizing a negro corps and incorporating it into the militia of the province.

But little was accomplished by this assembly. Its deliberations were characterized by a lack of harmony between the two branches. Careless of their duties as legislators, the members frequently absented themselves. The journal is filled with instances of arrests, fines, and reprimands. Long adjournments seriously interfered with the transaction of business; and the governor, in despair, on the 15th of November, 1780, adjourned the Commons House of Assembly to the 17th of January, 1781.

Annoyed at the presence of rebel cruisers which subjected the commerce and the planting operations of the Royalists to frequent and severe losses, the merchants of Savannah and Sunbury and the planters on the Georgia coast importuned Sir James to convene the assembly that provision might be made for the construction of a galley seventy or eighty feet long, to be propelled by fifteen or twenty oars on each side, to be armed with one six-pounder gun in the bow, four two-pounders, twelve swivels, and twenty muskets, to carry a crew of fifty whites and ten "refugee negroes," and to be employed in defending the harbors and inlets from the naval incursions of the republicans. Yielding to the solicitation, the governor did call the members of the legislature together on the 11th of December, 1780.

After due consideration it was determined that the cost of such a galley and its equipment and support would exceed the present financial ability of the province; and so the assembly adjourned without making any provision for the public defense.

All subsequent attempts at royal legislation in Georgia were spasmodic, partial, feeble, and futile. Upon the withdrawal of the king's forces for the investment and capture of Charlestown, and upon their employment at a later period in distant fields of service, the hold of his majesty's servants upon the province was sensibly relaxed. More circumscribed grew the limits of royal dominion until they were finally obliterated upon the evacuation

of Savannah in 1782. The hope of returning Georgia to her allegiance to the Crown, inspired by the capture of Savannah in December, 1778 and revived by the defeat of the allied armies in October, 1779, was always fluctuating. Although the governor retained his seat and exercised some of the functions of his office, his letters show that he was always oppressed by a sense of insecurity. Time and again did the republican forces, under partisan leaders, approach so closely that it was deemed dangerous for the king's servants to venture beyond the lines which enviroined Savannah. Now and then came a loyal address from the province assuring his majesty that his sorely tried yet faithful office holders would "use their utmost endeavors to promote an attachment to his person and government and the welfare of the British Empire;" that they "would not fail to put up their prayers to Almighty God that He would pour down His Blessings upon his Majesty, his Royal Consort, and his numerous offspring, and that He would give him a long and happy reign and that his posterity might sway the sceptre of the British Empire till time should be no more."[1]

And this would be quickly followed by a pitiable representation of the defenseless condition of the province, and by an application for a force of five hundred mounted men with which to scour the country and repel the rebel cavalry who were plundering the governor's plantations on the Ogeechee and thundering at the very gates of Savannah.

As early as August, 1780, we find Chief Justice John Glen, Dr. James Houstoun, and John Sutcliffe, "noted rebels," boldly appearing in Savannah and defying the royal authorities.

On the 20th of that month Governor Wright reports[2] that there were then not more than five hundred soldiers in Savannah, and that the garrison at Augusta did not exceed two hundred and forty. "I find," he adds, "we have only 15 nine pounders, 4 six pounders, and 1 four pounder, — all mounted on ship carriages, late the guns of his Majesty's ship Rose, — 2 pieces of brass six pound ordnance, 5 four pounders, and 2 three pounders, — two of which are only fit to take the field, — and 3 twenty-four pounders not mounted."

Nevertheless, we see the royal governor, with a pertinacity

[1] See *Address of the Judges and Inhabitants of Georgia,* inclosed in Sir James Wright's communication of May 20, 1780. P. R. O., Am. & W. Ind., vol. ccxxxvii.

[2] *Letter to Lord George Germain.* P. R. O., Am. & W. Ind., vol. ccxxxvii.

worthy of all praise, laboring to fortify Savannah and to confirm it as the capital of the province. Acting under the provisions of the bill which received his assent on the 30th of October, 1780, he ordered out over four hundred negro slaves and put them to work upon the public defenses of the town. "We are making," so he writes,[1] "five Redoubts & Batterys, & there is to be a Parapet made of Fascines & Earth from the River at each end & on the back of the Town. This Parapet is 10 foot wide & 7 foot high, with a Ditch on the outside 15 foot wide at top, 10 foot deep, & sloping to the bottom 3 foot. I think the Redoubts will be finished & each Parapet about half done, or say the whole 4 foot high by Christmas, & I expect the works will be entirely finish'd in all January. This, my Lord, is a most inconvenient thing & a heavy Tax on the People, being one fourth part of all their Male Slaves for near or quite 3 months. . . .

"The late Law also enables me to call out & arm Negroes in defence of the Province & to exercise further power over the Militia, but this only in time of *alarms actually fired*, and there are several things provided for which we thought necessary in these yet very perilous times."

When it is asked why the republicans, under the circumstances, hesitated to undertake the recaption of the State, it may be fairly answered that they, too, were weak in numbers and enfeebled by the fortunes of war; that not a few were pining in captivity; that many, contending with hunger, were striving to replenish their barns and acquire food for their families, while others, instant day and night in the saddle, were defending the frontiers against the torch and the scalping knife of the savage and the no less inhuman depredations and outrages of the loyalists. Others still were following the flag of the Confederation in the continental armies, doing battle within the confines of sister States. But a justification of their apparent apathy will sufficiently appear when we recur to the narrative of the military operations of this trying period. Before entering upon this survey, let us turn for a moment to the political affairs of Georgia as administered by the Supreme Council of Safety.

So divided was the State, that the difficulty experienced by Sir James Wright in securing the attendance of members sufficient to form a Commons House of Assembly under the royal government was also encountered by the members of the re-

[1] *Letter to Lord George Germain*, dated Savannah, December 1, 1780. P. R. O., Am. & W. Ind., vol. ccxcviii.

publican executive council in their efforts to convene a legislature and elect a governor. Since his elevation to the office of president on the 6th of August, 1779, John Wereat,[1] in association with the council, had been discharging the executive functions of government. On the 4th of November in that year he issued a proclamation in the following terms: —

"AUGUSTA, IN THE STATE OF GEORGIA, *November* 4, 1779.

"Whereas, from the invasion of the State by the enemy, in December last, the absence of many of the members elected to represent the different counties in the House of Representatives for the present year, with unavoidable causes, several ineffectual attempts have been made to convene a Legal House of Representatives; and whereas, it is essential to the welfare and happiness of the State that a Legal and Constitutional House of Assembly should be convened: We, therefore, earnestly recommend to such of the citizens of this State as have preserved their fidelity to the cause of America, and were inhabitants of the counties of Chatham, Liberty, Glynn, Camden, and Effingham prior to the reduction of these counties by the British forces, to repair to such place within this State as to them shall appear most safe and convenient, on the first Tuesday in December next, that being the day appointed by the Constitution for a general election throughout the State, in order to elect persons to represent those counties in the General Assembly for the ensuing year, that a full, free, and equal representation may be had to proceed on business of the utmost importance to the community; and it is the opinion of this Board, that this town would be the most eligible, in the present situation of affairs, for the meeting of the Assembly, which will be the first Tuesday in January next, agreeably to the Constitution of the State.

"By order of the Board. JOHN WEREAT, *President.*"

Upon the departure of the French and American armies from the lines before Savannah, many of the leading citizens removed from Southeastern Georgia and sought refuge in the vicinity of Augusta. Influenced by the persuasions of George Walton, who, released from captivity, was again at home, of Richard Howley, George Wells, and of others opposed to the executive council, these refugees, in association with the citizens of Richmond

[1] President Wereat was an active patriot, generous in his sympathies and sound in his financial views. He rendered important services to Georgia and her impoverished inhabitants. In January, 1788, he was president of the convention which, at Augusta, ratified the Federal Constitution. Ten years afterwards his useful career was peacefully ended in Bryan County.

County, resolved themselves into a deliberative body claiming to be the General Assembly of Georgia. William Glascock, Esq., was chosen speaker, and George Walton was elected governor of the State. It was openly charged, but without warrant, that some of the members of council sympathized with the Tories, and that all the proceedings of that body were "illegal, unconstitutional, and dangerous to the liberties of the State." This self-styled assembly, which convened at Augusta in November, 1779, also chose George Walton as a delegate to congress, and selected an executive council. Thus, at the same time, were two executive councils actually organized and claiming to exercise important functions within the limits of Georgia wasted by a common enemy and rent by internal feuds. Violent were the collisions of parties, and most confused was the administration of civil affairs. Fortunately there was little need for the office either of legislator or of governor.

While the enemies of the executive council, as at first constituted, were thus active in creating dissensions in the body politic and in disturbing the general sentiment at an epoch when unity, concord, and confidence were essential to the hopes and the plans of the Revolutionists, the members of that association endeavored to counteract these prejudicial influences and to restore public harmony by this open declaration of their powers: "Whereas some jealousies, natural to a people tenacious of their liberties, have arisen among some of the citizens of this State respecting the power of this Board: and whereas it behooves the rules of a free country at all times to take every step in their power to give all reasonable satisfaction to the inhabitants thereof, and to put a stop to such jealousies and complaints as may take place; and whereas the citizens of this State above mentioned conceive, by virtue of the delegation which authorizes this Board to proceed in the executive department of government, they have power to act in the judicial and legislative departments: We do hereby declare and make known to all whom it may concern that we are not invested with any such judicial or legislative powers, and that it never was nor ever will be our intention to assume to ourselves any such powers by virtue of the above mentioned delegation, and that we mean neither to contradict nor to destroy the Constitution of this State which we think must have due operation whenever a time of less disquiet will admit of its being adequate to the exigency of Government."

The self-constituted General Assembly was largely composed of

malcontents, men ambitious of power and jealous of the honors accorded to others who like themselves were engaged in a lethal struggle for independence. Sad commentary upon human nature which, even amid the throes of empire and in the agonies of extreme peril, could not forget its passions or subdue its petty animosities!

It will be remembered that in consequence of the deplorable want of accord between the civil and military authorities in Georgia General Lachlan McIntosh was induced to quit his service at home and seek military employment in a distant field. He had now, however, returned; and, during the bloody assault of the 9th of October, 1779, had given fresh proof of his courage and of his devotion to State and country. During his absence he received a letter from George Walton in which he thus commented upon the unfortunate condition of affairs in Georgia: "The demon Discord yet presides in this Country, and God only knows when his reign will be at an end. I have strove so hard to do good with so poor a return, that were the liberties of America secure I would bid adieu to all public employment, to politics, and to strife; for even virtue itself will meet with enmity."

It was General McIntosh's hope that time had healed all wounds and that, without reproach, he would be permitted to devote his time and military talents to the defense of Georgia. In this he was mistaken. On the 30th of November, 1779, a letter, purporting to be signed by William Glascock, speaker of the House of Representatives, was transmitted to the president of Congress by George Walton, governor of Georgia. Congress was therein assured of the dissatisfaction of the people of Georgia at the assignment of General McIntosh to the command of the military in that State. It was earnestly suggested that the National Assembly should, while he remained in the service of the United States, indicate "some distant field for the exercise of his abilities." So thoroughly did this forgery, backed by the representations of General McIntosh's enemies, poison the minds of the members of that body that they voted, on the 15th of February, 1780, to "dispense with the services of Brigadier-General McIntosh until the further order of Congress."

When informed of this communication, General McIntosh demanded an explanation from its alleged author. Mr. Glascock promptly denied the authenticity of the document in the following letter, dated Augusta, Georgia, May 12, 1780, and addressed to the president of Congress: —

"Sir, — I am now to do myself the honor of addressing your Excellency on a subject of considerable importance to myself and to a gentleman whose character both as a citizen and an officer I esteem and honor. Indeed I take up the affair on a larger scale; I may say it is also of importance to this State and the whole Confederate alliance, as it strikes at the very root of reciprocal confidence, and opens a road to misrepresentation, detraction, and malice which cannot be guarded against but with the utmost circumspection, and which, if not checked, might be productive of the most serious consequences to these States either in a civil or a military sense. Brigadier General McIntosh informs me that he lately received a letter from your Excellency enclosing the following extract of a letter to Congress from me, as Speaker of the Assembly of the State of Georgia:

"'It is to be wished that we could advise Congress that the return of Brigadier General McIntosh gave satisfaction to either the Militia or the Confederates, but the common dissatisfaction is such, and founded on weighty reasons, that it is highly necessary that Congress would, whilst that Officer is in the service of the United States, direct some distant field for the exercise of his abilities.'

"I am sorry, Sir, to be informed by this extract of the extreme malice and rancour of General McIntosh's enemies; but at the same time I enjoy a peculiar happiness in having it in my power to defeat their nefarious machinations and intentions. I do hereby most solemnly declare to Congress that the above extract is a flagrant forgery, of which I disclaim all knowledge whatever either directly or indirectly. Neither did I ever subscribe in a public or private capacity any letter or paper that could convey to Congress such an idea of that Officer with respect to his Country which he has, in my opinion, served with reputation, and from which he ought to receive the grateful acknowledgments of public approbation instead of the malicious insinuations of public slander, in which class I am under the necessity of ranking the forged letter which is the subject of this.

"I am glad of the opportunity of informing Congress that so far is that forgery from truth, that I believe there is not a respectable citizen or officer in Georgia who would not be happy in serving under General McIntosh, nor one in either class who would be otherwise except a few who are governed by design or self interest."

Mr. Glascock also furnished General McIntosh with a copy of this communication.

Strange as it may appear, an examination into the matter disclosed the fact that this letter, to which the name of the speaker of the House of Assembly was forged, was suggested, dictated, and forwarded by Governor Walton and certain members of his council with a design of impairing the influence of General McIntosh and compassing his removal from the military command in Georgia. Fortunately this malevolent and nefarious scheme failed to accomplish the unlawful result at which it aimed. So far from injuring the popularity of the meritorious officer whose valuable services were called in question, it drew down upon its authors the condemnation of all fair-minded people.

Upon the conclusion of the Revolutionary War this whole affair formed a subject of review by the legislature of Georgia. On the journals of the House of Assembly the following resolutions are entered under date of January 30, 1783:[1]—

"Resolved that they have examined such papers and persons as have been offered by the different parties, from which it appears that the resolves of Council, dated at Augusta December 12th, 1779, and the letter from Governor Walton to the President of Congress, dated December 15th, 1779, respecting General McIntosh were unjust, illiberal, and a misrepresentation of facts: that the letter said to be from William Glascock, speaker of the Assembly, dated November 30th, 1779, addressed to the President of Congress, appears to be a forgery, in violation of law and truth, and highly injurious to the interest of the State, and dangerous to the rights of its citizens: and that the Attorney General be ordered to make the necessary inquiries and enter such prosecutions as may be consistent with his duty and office.

"Resolved that General McIntosh be informed that this House does entertain an abhorrence of all such injurious attempts made use of, as appears by the papers laid before them, to injure the character of an officer and citizen of this State who merits the attention of the Legislature for his early, decided, and persevering efforts in the defence of America, of which virtue this House has the highest sense."

With remarkable inconsistency, the legislature on the day before these resolutions were adopted, had elected George Walton chief justice of the State of Georgia. If the attorney-general ever instituted any proceedings, we are not advised.

Short was Governor Walton's[2] gubernatorial career consequent

[1] See McCall's *History of Georgia*, vol. ii. p. 293. Savannah. 1816.

[2] "It is an irrefragable evidence," says John Sanderson in his *Biography*

upon his election in November, 1779. By the General Assembly Richard Howley was, on the 4th of January, 1780, elected governor, and William Glascock speaker of the House. Edward Telfair, George Walton, Benjamin Andrew, Lyman Hall, and William Few were appointed members of Congress. George Wells, Stephen Heard, John Lindsay, and Humphrey Wells were constituted members of the executive council. Of this body George Wells was chosen president. The office of chief justice was filled by the selection of William Stephens, and that of attorney-general by John Milledge. Colonel John Stark and Captain Hardy were elected treasurers. Edward Jones was made secretary of state, and Joseph Clay paymaster-general.

Composed largely of the friends of Walton and Howley, this assembly criticised severely the former council, and accused its members of "exercising powers and authorities unknown to and subversive of the constitution and laws of this State." It even went so far as to declare that "said council and the powers they exercised were illegal and unconstitutional." And yet, within a month, this assembly, which had thus pronounced null and void the action of the former council and denounced it as lawless in conception and operation, moved by the exigency of the period, and anticipating it might happen, during the progress of the war, "that the Ministers of government of this State might not be able to do or transact the business of the State within the limits of the same," unanimously resolved "that his Honor the Governor, or, in his absence, the President and Executive Council, may do and transact all and every business of government in as full, ample, and authoritative manner in any other State within the Confederation, touching and respecting of this State, as though it had been done and transacted within the limits of this State."

Informed of the arrival of large reinforcements in Savannah, the ultimate destination of which was not then well ascertained,

of the Signers to the Declaration of Independence (vol. iii. p. 166, Philadelphia, 1823), "of the great talents of Mr. Walton and of their proper appreciation by the people of Georgia that during the remainder of his life he held, in almost uninterrupted succession, the most respectable appointments that the government could confer upon him. There are indeed few men in the United States upon whom more extensive and solid proofs of public confidence have been lavished. He was six times elected a representative to Congress, twice governor of the State, once a senator of the United States, and four times judge of the Superior Courts; the latter office he held during fifteen years and until the day of his death. He was one of the commissioners on the part of the United States to negotiate a treaty with the Cherokee Indians in Tennessee, and several times a member of the state legislature."

Governor Howley issued a stirring proclamation "commanding and requiring the people to stand firm to their duty, and exert themselves in support and defence of the great and glorious independency of the United States: and also to remember with gratitude to Heaven that the Almighty Ruler of human affairs hath been pleased to raise up the spirit and might of the two greatest powers in the world [France and Spain] to join with them and oppose and destroy the persecutor of their liberties and immunities."

General Lincoln was censured by the legislature for withdrawing the continental troops from Georgia, and was pronounced "answerable for all the consequences which may follow that unadvised measure." The governor was instructed to concentrate half the militia of the State at Augusta, and Colonel John Twiggs, with his command, and as many volunteers as he could secure, was requested to take post at that point.

Aware of the defenseless condition of this town, which "might be surprised by twenty men," and deeming it "unsafe and impolitic for the Governor and Council to remain thus exposed," the assembly designated Heard's Fort, in Wilkes County, as a suitable "place of meeting for transacting the business of the government of this State as soon after leaving Augusta as may be."

Responding to this suggestion the executive council did, on the 5th of February, adjourn to assemble at Heard's Fort, which thereupon became the temporary capital of the State. Brief was the gubernatorial term of service of Governor Howley. He left Georgia to take his seat in the Continental Congress, and the Hon. George Wells, the president of council, and three members of the board were announced as fully competent for the transaction of all public business. "The value of paper money," says Captain McCall,[1] "was at that time so much reduced that the governor dealt it out by the quire for a night's lodging for his party; and, if the fare was anything extraordinary, the landlord was compensated with two quires."

President Wells dying, Stephen Heard, of Wilkes County, was elected, on the 18th of February, president of council. He was, during the absence of Governor Howley, governor *de facto* of republican Georgia, which, at that time, could practically claim the allegiance of only two counties, — Richmond and Wilkes. That portion of the State lying south of a line drawn from Hud-

[1] *History of Georgia*, vol. ii. p. 303. Savannah. 1816.

son's ferry on the Savannah River to the Ogeechee River was in the possession of the British.

"Thus was Georgia reduced to the verge of political death. The government, such as it was, was administered by President Heard, and a few members of the Council in Wilkes County; and when Mr. Heard retreated to North Carolina, Myrick Davies was chosen president in his place. The condition of the Republicans in Georgia was indeed deplorable. Driven from Savannah and the seaboard, compelled to evacuate Augusta, hemmed in by hostile Indians on the frontier, and confined mostly to a few settlements in and around Wilkes County, they lived in daily peril, had almost daily skirmishes with Regulars, Tories, or Indians, were harassed with alarms, were surprised by ambuscades, were pinched with want, and had one long bitter struggle for simple existence, with scarcely a ray of hope to light up the future."[1]

Moreover, unseemly dissensions had arisen among leading citizens, and the land was a prey alike to external and internal foes. Most difficult was it to maintain even a show of civil authority and to support a tolerable administration of justice. Many good men went into voluntary exile, bewailing the existence of evils which they were unable either to mitigate or to remove.

At this darkest epoch, when English arms had gained the ascendency not only in Georgia but also in Carolina, when the principal towns of those States were in the possession of the enemy, and the territory on both sides of the Savannah was largely subservient to British rule, it was noised abroad that a new commission would soon issue from the Court of St. James for the purpose of again sounding the temper of America upon the subject of a pacification. It was boldly hinted that Georgia, and perhaps South Carolina, in any negotiations would not be recognized as part of the American Union, but would be excluded on the ground that they had "been again colonized to England by new conquest." In Europe the "*uti possidetis*" was much talked of as a "probable basis for the anticipated peace." Against this doctrine and its practical application George Walton, William Few, and Richard Howley, then representing Georgia in the Continental Congress, prepared and published a manly and earnest protest[2] which was not without influence. After

[1] Stevens' *History of Georgia*, vol. ii. p. 331. Philadelphia. 1859.

[2] *Observations upon the Effects of Certain late Political Suggestions: by the Delegates of Georgia.* Pp. 10. Philadelphia. MDCCLXXXI.

representing in their true colors the excellences possessed by Georgia, her natural resources, and the advantages which resulted from her union with sister American States, they insisted that she was a material component part of the Confederation, and that she could not be abandoned or given up without endangering the integrity of that union. The public was reminded that all the colonies had joined in one common cause, and had sacrificed their blood and fortunes in its support. Rightly did they contend that it would be "unjust and inhuman for the other parts of the Union separately to embrace the result of the common efforts and leave them [Georgia and Carolina] under the yoke of a bankrupt and enraged tyrant." The suggestion shocked the sentiments of the allied patriots; and the doctrine of *uti possidetis*, if seriously entertained, was thoroughly eliminated from all discussions and deliberations contemplating the establishment of amicable relations between England and her revolted colonies.

On the 16th of August, 1781, Dr. Nathan Brownson was elected governor, and Edward Telfair, William Few, Dr. Noble Wymberley Jones, and Samuel Stirk were appointed delegates to Congress. The skies were brightening. Augusta had been rescued from the possession of the enemy, and renewed efforts were being made for the recovery of other portions of the State.

Eight days after his induction into office, Governor Brownson, with the intention of strengthening the manhood of the State, issued a proclamation requiring all persons who considered themselves citizens of Georgia to return home within specified periods under penalty of being subjected to the payment of a treble tax to be levied upon all lands owned by them within the limits of the State. Many wanderers were thus recalled who, having forsaken their plantations in Georgia, had sought refuge in South and North Carolina and in Virginia.

The machinery of state government was further organized by this legislature, assembled in Augusta, — of which John Jones was the speaker, — by the election of John Wereat as chief justice, Samuel Stirk as attorney-general, James Bryan as treasurer, and John Milton as secretary of state. Provision was made for reopening the courts of justice, and assistant judges were elected for each county. It was then the duty of the chief justice to preside at the superior courts of all the several counties, and the terms were so arranged as to permit his presence. In each county he was aided by the assistant justices selected for the county. For the more efficient organization and control of the militia the following officers were chosen: —

For the County of Wilkes: Elijah Clarke, colonel; John Cunningham, lieutenant-colonel; and William Walker, major.

For the County of Richmond: Josiah Dunn, colonel; Isaac Jackson, lieutenant-colonel; and Joshua Winn, major.

For Lower Richmond: James Martin, colonel; James McNeil, lieutenant-colonel; and Archibald Beal, major.

For the County of Burke: Asa Emanuel, colonel; James McKay, lieutenant-colonel; and Francis Boykin, major.

For the County of Effingham: Caleb Howell, colonel; Stephen Johnson, lieutenant-colonel; and Daniel Howell, major.

For the County of Chatham: George Walton, colonel; John Martin, lieutenant-colonel; and Charles Odingsell, major.

For the County of Liberty: John Baker, colonel; —— Cooper, lieutenant-colonel; and James Maxwell, major.

To the governor was allowed a salary at the rate of £500 per annum; to the chief justice, a salary of £300; to the attorney-general, a salary of £200; to the treasurer, a salary of £150; to the secretary of state, a salary of £100; to the clerk of council and assembly, a salary of £75; and to the messenger of council, a salary of £50. The delegates to the Continental Congress were entitled to a sum sufficient to defray all their expenses incurred in going to, attending upon, and in returning from Congress.

Governor Brownson was a leading physician of Southern Georgia, public-spirited, wise in counsel, and an early and earnest supporter of the plans of the Revolutionists. Twice had he served his people as a member of the Continental Congress. Among the purest patriots of Liberty County will he always be numbered.

In the early part of December, 1781, the council was called upon to mourn the loss of the Honorable Myrick Davies, recently its president, who was inhumanly slain by the Royalists. The headquarters of the board had for some time been fixed at Howell's plantation in Burke County. On the 11th of December, 1781, the following minute appears in the journal of the executive council: "Resolved, that his honor the governor be requested to take measures for conveying the body of the late Myrick Davies, Esqr., president of the Executive Council, to this place,[1] and that Mr. Lewis be requested to prepare a proper discourse for his interment, and this Board will attend the same."

On the 2d of January, 1782, Stephen Heard was for a second time elected president of council.

[1] Augusta.

By the legislature, which convened in Augusta on the 1st of January, 1782, was John Martin, an active defender of the liberties of his country and a lieutenant-colonel in the continental line of the Georgia brigade, elected governor. William Gibbons was selected as speaker. This body remained in session only about ten days, and was subsequently, by proclamation of the governor, convened at Augusta on the 17th of April.

Already were indications of a successful issue to the impending conflict becoming apparent, and the hearts of the Revolutionists were cheered by the approach of a strong army for the reclamation of Georgia.

Encouraged by the prospect, Governor Martin, in his inaugural address, thus felicitated the members of the legislature: "I am extremely happy in finding that the virtuous struggles made by the good citizens of this State against our cruel and unnatural enemies have at length nearly secured to us those blessings for which we have so long contended and, I doubt not but by a continuance of those exertions and the support we have reason to expect, we shall in a short time reap the happy fruits of our labors."

It was under his administration that Georgia was rescued from British dominion and the commonwealth restored to the full exercise of all legislative, executive, and judicial powers. He was the governor whose good fortune it was to behold the successful termination of the Revolution, and to witness the public recognition of Georgia as a sovereign State.

Secure in the hope of the early triumph of the armies of the Confederation, the legislature at its called session in April passed the following resolutions in acknowledgment of the distinguished services of Generals Greene and Wayne:[1] —

"Whereas the Honorable Major General Greene hath, since his taking the command of the Southern Army, rendered high and important services to the Southern States by wresting them from the hand of British oppression and establishing the foundation of their independence and prosperity:

"And whereas services so glorious and honorable to the United States in general and this State in particular — services which at once characterize the able and judicious General as well as the intrepid asserter of American freedom — call for the distinguished approbation of the Legislature of this State:

"Be it therefore resolved that the sum of five thousand guin-

[1] These resolutions were adopted May 1, 1782. See MS. journal.

eas be granted to three Commissioners to be appointed by this House for the purpose of purchasing an estate for Major General Nathaniel Greene in such part or parts of the State as he shall appoint.

"Resolved that the said Commissioners be empowered and authorized to draw on, and receive the said sum of five thousand guineas from, the public treasury of this State."

"Whereas Brigadier General Wayne hath, since his commanding the force of the United States within this State, rendered great and meritorious services to this Country by driving in the posts of the enemy, and, with a very inferior force, keeping them confined to Savannah:

"And whereas the gallant and judicious conduct of the said General highly merits the generous attention and approbation of the Legislature of this State:

"Resolved that a high sense of the great merits and services rendered by the Honorable Brigadier General Anthony Wayne is entertained by this House, and that the same be acknowledged in a letter from the Speaker to the General.

"Resolved that the sum of four thousand guineas be granted to three Commissioners, to be appointed by this House, for the purpose of purchasing an estate for Brigadier General Anthony Wayne in such part or parts of the State as he shall appoint."

Colonel Elijah Clarke, "in consideration of his distinguished services," was complimented by this legislature with the plantation of Thomas Waters on which the colonel was then residing. He was to retain it rent-free until the question of its confiscation was determined. If confiscated, that plantation was to be presented to him, by the State, in fee simple.

On the 4th of May this legislature adjourned to assemble at Ebenezer on the first Tuesday in July. There had General Wayne established his headquarters. The enemy was now closely confined within the lines which encircled Savannah, and the town of Ebenezer became, for a little while, the actual capital of Georgia as it was the chief post of the republican forces within the State.

Here, by the General Assembly, provision was made for the purchase, in behalf of the State, of all slaves owned by parties, adherents to the Crown, who were on the eve of departing from Georgia. The evacuation of Savannah by the king's forces was

imminent, and this measure was deemed important for the agricultural interests of Georgia. These slaves were to be resold to the best advantage, and their labor was to be retained for the immediate development of the lands within the State.

Resolutions were also adopted permitting all merchants in Savannah, who professed loyalty to the king, to remain unmolested in that town for the space of twelve months to close out their stocks of goods, provided they took no advantage of the necessities of the community and sold their commodities at reasonable prices. Upon the expiration of this period they were to be furnished with permits to sail for any British ports they might select.

Prohibitions were laid upon the exportation of salt and provisions. There was great need in the land, and the authorities were not unmindful of such regulations as seemed calculated to relieve the distress of the inhabitants.

Removing from Ebenezer, the General Assembly convened in Savannah on the 13th of July. The Filature was quickly arranged as the most suitable place for its deliberations. Again was the first capital of Georgia restored to the possession of the republicans. Through their chosen representatives the patriots, rejoicing in the good fortune of the hour, legislated gladly for the welfare of the youthful commonwealth, now free and independent.

Upon this hasty review it will be perceived that the government of Georgia during this Revolutionary period was feeble, uncertain, and peripatetic. Little was done beyond the maintenance of the semblance of executive and legislative authority. Most of the acts passed by the legislatures were temporary in their character and intended to answer the immediate requirements of an abnormal epoch. Few records of this transition stage in the development of the State have been preserved, and they are at best but fragmentary and unimportant. The territorial jurisdiction of governor and assembly was frequently very limited, and varied with the fortunes of war. Beyond the struggle for life and property comparatively little appertains to the history of these days. Liberty and subsistence were the principal objects in view, and the paths which led to their attainment were rugged with poverty, obstructed by sore trials, and were crossed by the king's servants.

So seriously impaired were the finances of the State, and so depreciated in value was the paper currency in vogue, that arms,

munitions, and supplies of all sorts were very difficult of procurement. Nearly five hundred thousand dollars were expended by Georgia in defraying the expenses of Governor Howley while a member of the Continental Congress.

There were times too when the *personnel* of the state government consisted only of a president of council, assisted by a few members of the board; when, for long intervals, there were no meetings of the General Assembly; when many of the provisions of the constitution were inoperative; and when scarcely a regiment of soldiers could be marshaled within the limits of the State to dispute the supremacy of the Crown.

With regard to the colonial records of Georgia it may be stated that for some time after the fall of Savannah in December, 1778, they were lodged for safe keeping in one of the public offices in Charlestown, South Carolina. When that city was threatened, they were thence transported in wagons by Captain John Milton to Newbern, North Carolina, and entrusted to the care of Governor Nash. Upon the appearance of the British army in North Carolina they were removed to Maryland where they remained until the close of the war. Upon the conclusion of peace such of them as could be collected were restored to Georgia, under the conduct of Captain Nathaniel Pearre, of the Georgia Continental Brigade.

Having thus considered the political history of Georgia during this trying period when the royal government at Savannah and the republican government in the upper portion of the State were contending for the mastery over a distracted, divided, impoverished, and smitten territory, let us review the military events subsequent to the repulse of the allied army before Savannah in October, 1779.

CHAPTER XXIII.

Sir Henry Clinton's Southern Expedition. — The Fall of Charlestown a Heavy Blow upon the Republicans of the South. — Captain Hugh McCall. — Operations of Private Armed Vessels and of Partisan Leaders. — Affair on the Ogeechee between Colonels Pickens and Twiggs and Captain Conklin. — The Small-Pox. — Savage the Warfare between Royalists and Republicans. — Treachery of General Andrew Williamson. — Augusta occupied by Colonels Brown and Grierson. — Conduct of Colonel Brown. — Colonel Dooly murdered. — Exploit of Colonel John Jones. — Affair between Colonel McDowell and Major Dunlap. — Engagements near Wofford's Iron-Works and near Musgrove's Mill. — Colonel Clarke wounded. — Cornwallis' Sanguinary Instructions. — Colonels Clarke and McCall attempt to capture Augusta. — Details of the Enterprise. — The Siege Raised. — Terrible Fate of the American Prisoners. — Brown's Atrocities. — Major Carter. — Sad Plight of the North Georgians. — Colonel Clarke conducts a Large Body of Women and Children to Temporary Homes on the Waturga.

Advised that the fleet of Count d'Estaing had left the coast of Georgia and that General Lincoln, for a season at least, had virtually abandoned the territory lying south of the Savannah; encouraged by the successes of Colonel Campbell and General Prevost; and perceiving that no satisfactory progress was attending his efforts for the subjugation of the Northern States, Sir Henry Clinton, in the language of General Moultrie, "reversed the proverb of taking the bull by the horns" and determined to prosecute the fortunes of war in that portion of the Confederation where the republican armies were least formidable. Entrusting the garrison at New York to the command of General Knyphausen, and accompanied by Admiral Arburthnot, Sir Henry set sail from Sandy Hook late in December, 1779, with a strong land and naval force destined for the reduction of Charlestown and the subjugation of South Carolina. Tybee inlet was designated as the point of rendezvous. Rough seas and tempestuous winds protracted the voyage and entailed heavy loss in artillery and cavalry horses, and in siege guns. The end of January, 1780, was at hand before a concentration of the fleet could be

effected. Necessary repairs having been made, the ships sailed for North Edisto inlet and, on the 11th of February, disembarked the troops on John's Island. Thence by slow and careful stages they advanced, almost ten thousand strong, for the investment of Charlestown, the capital of South Carolina and an opulent town of some fifteen thousand inhabitants.

While the land army was about finishing its first parallel, Admiral Arbuthnot, passing the harbor batteries, completed the isolation of the town and rendered the hope of its retention by the Revolutionists desperate in the extreme. When this posture of affairs was communicated by Colonel Laurens to General Washington, his sagacious response was: "The impracticability of defending the bar, I fear, amounts to the loss of the town and garrison. At this distance it is impossible to judge for you. I have the greatest confidence in General Lincoln's prudence, but it really appears to me that the propriety of attempting to defend the town depended on the probability of defending the bar, and that when this ceased the attempt ought to have been relinquished."

Entertaining an exaggerated impression of the military value of Charlestown, relying upon the strength of the fortifications which he had constructed, and expecting reinforcements from other States, General Lincoln, who had concentrated within the city lines all available forces under his command, resolved to defend the place to the last extremity.

Reinforced by Lord Rawdon's brigade of eight regiments, and by General Patterson, who, marching from Savannah across the country and bringing with him many horses, supplied in large measure the loss of animals experienced during the passage of the fleet from New York, Sir Henry Clinton was enabled with great ease to take advantage of General Lincoln's mistake and to render certain the catastrophe which culminated on the 12th of May.

Upon the details of the siege and capitulation of Charlestown we may not dwell. It is proper, however, that we should note the terrible effect which this calamity wrought upon the fortunes and the hopes of the Confederacy. Charlestown having fallen, spoil to the amount of £300,000 sterling was distributed by English and Hessian commissaries of captures. On private rapine there was no restraint. Silver plate was seized by the conquerors. Negro slaves, the property of rebels, were shipped to the West Indies and sold. English officers thought more of

amassing fortunes than of reuniting the empire. A sentence of confiscation hung over the whole land, and British protection was granted only in return for the unconditional promise of loyalty.[1]

Among the seven general officers captured was Brigadier-General Lachlan McIntosh, who, during the siege, commanded a militia brigade composed in part of Georgians. Directing his attention to securing the submission of the inhabitants of South Carolina, Sir Henry Clinton issued proclamations offering pardon, with few exceptions, for past treasonable offenses, a reinstatement in the fruition of rights and immunities which had heretofore been enjoyed under the British government, and exemption from taxation other than that imposed by the provincial legislature.

Seventeen days after General Lincoln's surrender Colonel Tarleton, in overcoming Colonel Buford at the Waxhaws, totally routed all the continental troops who had not been made prisoners at the capitulation of Charlestown and intensified the general panic occasioned by the fall of the capital of South Carolina. Beaufort, Camden, and Ninety-Six quickly sued for peace. With the exception of those dwelling in that portion of the State bordering upon North Carolina, the inhabitants preferred submission to further resistance.

While these important military events were transpiring in South Carolina, although Georgia was largely under the dominion of the king's forces, it must not be supposed that she wholly acquiesced in the reëstablishment of British rule. The withdrawal of a considerable portion of the garrison at Savannah encouraged resistance in the breasts of the republicans and caused demonstrations in support of liberty and property which, although partial, nevertheless exerted a potent influence in keeping alive the flame of patriotism and in confirming the hope of more auspicious days.

In perpetuating the memory of the incidents of this epoch our special acknowledgments are due and are freely tendered to Captain Hugh McCall. Oppressed by physical infirmities and a martyr to the effects of the exposures and dangers experienced as an officer in the army of the Revolution; now confined to his couch, again a helpless cripple locomoting in an easy-chair upon wheels; dependent for a livelihood upon the slender salary paid him as keeper of the Savannah jail; often wholly inter-

[1] See Bancroft's *History of the United States*, vol. x. p. 306. Boston. 1874.

rupted in his labors, and then, during intervals of pain, writing with his portfolio resting upon his knees; fired with patriotic zeal and anxious to wrest from impending oblivion the fading traditions of a State he loved so well and whose independence he had imperiled everything to secure, he compassed a narrative[1] which is highly prized, and which, in its recital of events connected with our Revolutionary period and the part borne by Georgians in that memorable struggle, is invaluable. To him do we stand indebted for the fullest accounts of the perils and the privations, the affairs and the incidents, of our primal Revolution.

The royal commissioners of sequestration proving quite energetic in reducing into possession all property of the rebels, a counter effort was made by the republicans for its recaption and removal to places of security. In this attempt violent collisions were not infrequent, and many lives were lost. The private armed vessels of Commodore Oliver Bowen and of Captains Spencer, John Howell, William Maxwell, Job Pray, Hardy, John Lawson, Joseph Stiles, and of others, were active not only in the recovery of such property but also in attacking parties of the enemy engaged along the coast in collecting forage and provisions for the British troops in Savannah. The crews of vessels thus captured, and the English guards taken on board, were usually paroled as prisoners of war. Sometimes such as had been guilty of murder, arson, and robbery were executed for their crimes. It was a harsh period. Retribution was swift, and the *lex talionis* in general vogue.

These privateers made frequent voyages to the West Indies whence they procured supplies of salt, warlike munitions, and other articles necessary for the comfort and defense of beleaguered Georgia.

Active alike in protecting the frontiers against the inroads of the Indians and in attacking the British outposts whenever an opportunity occurred, Colonels Twiggs, Clarke, Dooly, Few, and Jones, with their partisan commands, rendered service most opportune and valuable, infusing new life into the almost moribund cause of the Revolutionists, bravely encountering every hazard in defense of life and property, and enkindling in the hearts of the despairing expectation of ultimate success.

McGirth and his followers, desperadoes and freebooters all, were peculiarly obnoxious to the patriots whom they lost no

[1] *History of Georgia*, vols. i. and ii. Savannah. 1811, 1816.

opportunity of harassing, plundering, and murdering. Hoping to effect the capture of this officer, and to assist the republicans of Middle and Southern Georgia in removing their personal property to places of security, about the 20th of March, 1780, Colonel Andrew Pickens, with a portion of his South Carolina regiment, formed a junction with Colonel Twiggs and Captain Inman. The united forces of these officers numbered some three hundred men. Marching down the Ogeechee River, this little army proceeded to Liberty County where McGirth was then committing some depredations. There the patriots gave chase to him, but his intimate knowledge of the country and the fleetness of his horse enabled him to make good his escape. Several of his party were slain, and three or four were captured. The Americans then returned and encamped at Governor Wright's plantation, which had been agreed upon as the place of rendezvous. Informed of what was transpiring, the British officer commanding in Savannah detailed Captain Conklin, of the first battalion of DeLancey's corps, with two subalterns and sixty-four men, to proceed to the Ogeechee and disperse the rebels collected in that quarter. Marching from Savannah at three o'clock on the morning of the 4th of April, that officer reached Ogeechee ferry at ten o'clock and there learned from some negroes the position of the Americans. Crossing the river without interruption, he detached Ensign Supple with fifteen men to turn the right flank of his adversary. Observing the enemy as he passed the Ogeechee, aware of his design, and anxious to encourage his advance so as effectually to cut off his retreat, Colonels Pickens and Twiggs, exhibiting only twenty dragoons under the immediate command of Captain Inman, concealed the main body from view and occupied an advantageous position for effective action. The enemy advanced along the causeway with much apparent confidence. Captain Inman, too precipitate in his attack, opened the engagement before the British had gained the high ground. This necessitated a participation by the reserve. Early in the skirmish Captain Conklin was mortally wounded. Lieutenant Roney, second in command, perceiving that his situation was critical, resorted to the bayonet and, by a vigorous charge in which he was wounded, succeeded in keeping his assailants at bay. Closely pressed by Inman's dragoons, Ensign Supple withdrew his detachment into a rice-field where further pursuit was rendered impracticable. Rejoining the party on the causeway, he assisted in conveying the wounded to the river, and acted as

a rear-guard to the command on its retreat. Had Captain Inman delayed his attack and drawn the enemy away from the causeway so that Colonels Pickens and Twiggs could have gained the rear and cut off the only line of retreat, the entire force would certainly have been captured. Of the British, two privates were killed and five wounded. Captain Conklin died of his wounds on the following morning. Governor Wright's barn, containing three hundred and fifty barrels of rice, was burned to prevent its contents from falling into the hands of the enemy, then busily occupied in collecting supplies for the garrison in Savannah.

Eight days before, one of the American detachments, which had remained for a while in Liberty County, fell in with a mixed party of loyalists and Indians. In the conflict which ensued the enemy was utterly routed, with a loss of ten killed.

While the republicans were removing their property from Southern Georgia, Colonels Pickens and Twiggs continued to hover near for their assistance and protection, defeating expeditions sent out from Savannah to interrupt this business, and compelling the enemy to seek security within his fortified lines. In one of these skirmishes Captain John Bilbo was mortally wounded.

To add to the horrors of the period, the small-pox spread its loathsome ravages far and near. Fear fell upon soldier and civilian, and it was only after months of anguish, when the virtue of inoculation was clearly established, that the terrors of this horrid pest were measurably dissipated.

Many of the refugees from Southern and Middle Georgia experienced great difficulty in placing their families and personal property in localities exempt from danger. Some, foreseeing the privations to which their wives and children would be subjected, repented of their first purpose and availed themselves of the protection offered by the conqueror. Others, unable to defray the charges incident upon the removal, and filled with a patriotic desire to consecrate their lives to the military service of the Confederacy, bade farewell to their homes, commending their all to the chances of war and the God of battles. Of this last class were Colonels John Jones, of Burke County, and Benjamin Few, of Richmond County. Repairing to the county of Wilkes they there united their fortunes under the gallant leadership of Colonel Elijah Clarke.

Merciless was the war waged between Royalists and Republicans. The former, inflamed with hatred and eager for rapine, spared neither age nor sex. Ruin marked their footsteps, and

their presence was a signal for theft, torture, murder, and crimes without a name. Revenge and retaliation prompted the Republicans to many bloody deeds which can scarcely be excused even in a defensive war, — that most justifiable of all conflicts, where life, liberty, property, and country are at stake. Dark is the picture from whatever light it may be viewed, and not a few of the scenes there depicted were, beyond controversy, inspired by Moloch.

Brigadier-General Andrew Williamson, with three hundred men, was now encamped near Augusta. Although composed of militia, this was, numerically considered, the most formidable force then assembled at a single point for the defense of republican Georgia. While encouraging Colonel Clarke with the suggestion that he would accede to a concentration of forces and unite in the suppression of the Royalists in Upper Carolina, he held the king's protection in his pocket and meditated an act of infamy. Unable either to read or write, he entrusted the details of his command to his aid-de-camp, Malcolm Brown, who had long given evidence of his attachment to the royal cause. Concealing for some time the information he had received of the fall of Charlestown, he subsequently, upon the approach of the British detachments, called his officers together, expressed the opinion that further resistance would prove ineffectual, and recommended them to return to their homes and there accept the protection offered at the hands of the king's servants. He thereupon abandoned his command. For this traitorous act he was rewarded by a colonel's commission in his majesty's service; and, until the close of the war, was recognized as a warm advocate of the reëstablishment of the royal government.[1]

Upon the disbanding of this force Augusta was occupied by Colonels Brown and Grierson, two notorious partisan officers in the king's army. The former had been a resident of that town prior to the inception of the war. His conduct and language had then been so offensive and insulting to the friends of liberty that he was finally arrested by the parish committee, tried, tarred and feathered, and exposed to public ridicule in a cart drawn by three mules. This ignominious punishment ended, he made his escape to the British, swearing vengeance against all patriots. Entrusted now with the command of the town in the streets of which he had suffered such gross indignities, he was resolved to gratify a revenge sternly cherished, and to repay, with interest,

[1] McCall's *History of Georgia*, vol. ii. p. 304. Savannah. 1816.

to the citizens of Augusta the ill-usage he had experienced at their hands. His first measure was the sequestration of the property of the republican inhabitants. This was speedily followed by an order banishing, beyond the limits of Georgia, all Whig families. Stripped of their possessions and driven from their homes, exposed to insults and enduring numberless privations, these proscribed Georgians were compelled to journey even to the borders of North Carolina, where they arrived half famished, broken down by the fatigue and hardships of travel, and some of them with constitutions so sadly shattered that all hope of health and life had fled.[1] The tyrant rejoiced in his supremacy; and, gloating over the sorrows he had wrought, boasted that his

> . . . "great revenge
> Had stomach for them all."

Emissaries were dispatched into the adjacent country with authority to grant protections and exact oaths of allegiance to the British Crown. A party thus commissioned, and led by Captain Corker, at dead of night forced an entrance into the dwelling-house of Colonel John Dooly and, in the most barbarous manner, murdered him in the presence of his wife and children. Thus perished an officer who had borne himself gallantly in many affairs and deserved well of the republic.

When the disaffection of Williamson was made known to Colonel Clarke he was in command of three hundred men in Wilkes County, whom, by his personal exertions, he had there "embodied." Maddened and chagrined at the traitorous act, and disappointed in his expectation of immediately taking the field against the British and Tories who, in large numbers, were running riot through various portions of South Carolina, he dismissed his command, granting leaves of absence and furloughs for twenty days that his officers and men might take leave of their families, arrange their affairs, and prepare for a long campaign. Freeman's Fort in Elbert County was named as the point for the reassembling of this force.

By the 11th of July, 1780, one hundred and forty men, strongly mounted and well armed, rendezvoused at the designated place. Without waiting for further accessions, Colonel Clarke crossed his command by night at a ford six miles above Petersburg. The British and loyalists were in South Carolina in the line of his intended march. His force being composed of

[1] See Jackson's MS. notes on Ramsay's *History of the Revolution in South Carolina*. Stevens' *History of Georgia*, vol. ii. p. 244. Philadelphia. 1859.

volunteers, so soon as his troopers left Georgia each man claimed the right of thinking and acting for himself. Influenced by the manifest dangers which opposed, and moved by the insubordination which prevailed in his little army, Colonel Clarke deemed it prudent to return to Georgia and await a more favorable opportunity for coöperating with the South Carolinians in an effort to dislodge the enemy.

Colonel John Jones, of Burke County, refused to join in the retreat, and succeeded in persuading thirty-five men to unite with him in the attempt to penetrate the country and form a junction with the republican forces wherever they might be. Organized into a company with Colonel Jones as captain, John Freeman as lieutenant, and Benjamin Laurence as guide, this little band pressed forward. While traversing the disaffected territory these men represented themselves to be loyalists in the active service of the king. In this capacity they were furnished with guides. Having passed the head waters of the Saluda River they were informed by one of the guides that a party of Royalists had, a short distance in front, been attacked and defeated by some rebels. Jones thereupon expressed a wish to be conducted to the spot that he might unite with the loyalists in taking "revenge for the blood of the king's subjects which had been shed."

About eleven o'clock on the night of the 14th of July he was led to the royal party, numbering about forty, collected to pursue the rebels who had retreated to the north. Selecting twenty-two men for the attack, and leaving his horses and baggage in charge of the rest of his command, Jones approached the enemy. He found them generally asleep and wholly unprepared for the onset. At the first fire one was killed and three were wounded. The entire command, numbering thirty-two, cried for quarter and surrendered without offering the slightest resistance. Having paroled his prisoners, having destroyed all their arms except such as were needed by his command, and taking with him as many horses as could conveniently be led, Jones compelled the astonished guide to conduct him to Earle's ford on Pacolet River where, on the following day, he formed a junction with Colonel McDowell commanding three hundred North Carolina militia.

Some twenty miles distant from McDowell's camp, in a southerly direction, was Prince's Fort, commanded by Colonel Innis. Ignorant of McDowell's approach, that officer had detached Major Dunlap with seventy British dragoons, and a party of loyalists commanded by Colonel Ambrose Mills, in pursuit of Jones whose

audacious exploit had just been brought to his knowledge. Reaching the vicinity of McDowell's camp late at night, and supposing that he had overtaken Jones' party, Dunlap waited for the dawn to make his attack. As he was crossing the river in the early morning he was discovered by a sentinel who, running in, gave the alarm. Few of the Americans were awake. Before they could form, Dunlap, with drawn swords, hurled his dragoons and loyalists upon them. The Georgians being encamped nearest to the river received the first shock and suffered considerable loss. Jones was disabled by eight sabre cuts on the head. Falling back about one hundred yards the Georgians, under Lieutenant Freeman, joined Major Singleton who was forming his men behind a fence, while Colonels McDowell and Hampton were rapidly, with the main body, coming into line of battle on his right. An advance was quickly ordered when Dunlap, discovering his mistake, beat a hasty retreat which was effected with trifling loss.

Fifty-two of the best riders, including Lieutenant Freeman and fourteen Georgians, were ordered to pursue the retiring foe. After two hours and a ride of fifteen miles the enemy was overtaken. Dunlap was routed upon the first attack; eight of his troopers being slain. Finding it impossible to rally his men, the British commander joined in the flight, which ceased not until Prince's Fort, garrisoned by three hundred Royalists, was reached. The Americans continued the pursuit, inflicting additional losses, until they came within three hundred yards of that fort. By two o'clock in the afternoon Hampton with every man of his command was back in camp. Thirty-five excellent horses, an ample supply of dragoon equipage, and a considerable amount of baggage, formed the substantial trophies of this brilliant adventure.[1]

Upon his return to Georgia, Colonel Clarke remained but a short while in a state of inactivity. He longed to join the little army of the Revolution then energetically employed in repressing the devastations of the British soldiery and loyalists in the upper portion of the Carolinas. In this desire he received every encouragement from President Stephen Heard and the members of his council. Besides, a residence in Georgia proved most onerous to his men, who were compelled to secrete themselves in the woods and to rely for subsistence upon the charity of friends.

[1] Compare McCall's *History of Georgia*, vol. ii. pp. 306–313. Savannah. 1816. Draper's *King's Mountain and its Heroes*, pp. 80–83. Cincinnati. 1881.

Perceiving that no good could be accomplished at home, he soon reassembled his regiment, and, leading it along the eastern slope of the mountains, conducted it to the confines of North Carolina. Here he was joined by Colonel Jones, by several small parties of Georgians, and by a detachment of twenty men from Colonel Pickens' regiment, commanded by Captain James McCall. Having no military chest, he was compelled to subsist his troops upon the country, and to forage upon the enemy with whom he skirmished frequently and successfully. Constantly changing his camp to avoid surprise, and always selecting advantageous positions, he held his troopers well in hand and improved every opportunity of cutting off the supplies upon which Colonel Innis depended. So annoying to the British garrison proved the presence of Clarke that the English commander resolved to force him to a general and decisive engagement. With this intention, he came out of his fort and moved upon Colonel Clarke, who retired upon Wofford's iron works, and there, on the 10th of August, choosing his ground, waited for the enemy's attack. During the afternoon his pickets were driven in, and a fire at long range was maintained until dark. Every effort was made, but without success, to draw the Americans from their well-selected position. Under the shadows of night the opposing parties withdrew, each claiming the victory, although no decided impression had been created on either side. Innis retired to his fort near Musgrove's Mill, on Enoree River, and Clarke returned the next morning to his former encampment.

Among the slain in this affair[1] was Major Burwell Smith, an active partisan officer, who had often defended Georgia against the attacks of the Indians and had never suffered either surprise or defeat. His death was sincerely lamented in the republican camp.

Nothing daunted by this demonstration, Colonel Clarke maintained his ground and manifested increased activity in cutting off the foraging parties of the enemy, and in protecting the patriots against predatory bands of loyalists who roamed through the country plundering and burning every habitation incapable of resisting their devastations. Still intent upon driving Clarke and his command out of the region, Colonel Innis, placing himself at the head of three hundred and fifty men composed of

[1] The Americans lost one major and three privates killed and five or six men wounded. Five of the enemy were killed and eleven wounded. McCall's *History of Georgia*, vol. ii. p. 314. Savannah. 1816.

British regulars, dragoons, militia, and loyalists, moved out of the fort and advanced in the direction of the American camp. The fact of his approach was communicated by scouts on the night of the 17th of August. Fortunately, Colonel Clarke had recently been reinforced by Colonels Williams, Branham, and Shelby, and it was resolved by a council of war to offer battle in the morning.

Four miles north of Musgrove's Mill was a plantation through which ran a long lane. At the northern end of this Colonel Clarke selected a favorable position for receiving the attack. Advancing with one hundred men, he formed across the road, his flanks being protected by a fence. On either flank he was closely supported by Williams and Branham, while Shelby, with a reserve corps, covered the centre, with orders to throw his force wherever circumstances might require. Moving along the lane, the vanguard of the enemy was within fifty paces of the Americans before the danger was perceived. That he might obtain room to form his regulars, Innis ordered his dragoons and mounted militia to charge and drive the republicans from the ground which they occupied. Conscious that the fate of the engagement depended upon holding his position so as to force the British regulars to form in the open field on either side of the lane while his own men were covered by the fence and the woods, Clarke, supported by Shelby, tenaciously held the centre while Williams and Branham, extending the flanks, delivered an enfilading and destructive fire. Repulsed in their charge, the dragoons and mounted militia recoiled upon the regulars confined in the lane and created much confusion. Into the disordered mass the Americans poured a hot and destructive fire. In their efforts to restore order and lead the cavalry again to the charge, seven British officers were either killed or wounded, and their men were slaughtered without the power of resistance. Among the wounded was Colonel Innis. Captain Ker, second in command, finding it impossible longer to maintain the unequal conflict, ordered a retreat which continued for four miles and until Musgrove's Mill was reached. So closely were the retiring Britons pressed by the Americans that on more than one occasion they were forced to turn and resort to the bayonet to push back their eager pursuers. Sixty-three of the enemy were killed. One hundred and sixty were wounded and captured. The Americans lost only four killed and nine wounded. Among the former was the gallant Captain Inman; among the latter were Colonel

Clarke and his son, Captain John Clarke. In repulsing the charge of the British dragoons and mounted militia a severe hand-to-hand conflict ensued. It was during the *mêlée* that Colonel Clarke, who fought with a desperation worthy of all praise, received two sabre cuts, one on the back of his neck and the other on his head. In fact his life was saved by his stock-buckle which received the edge of the weapon. At one time he was actually surrounded by the enemy and in charge of two stout cavalrymen. Renowned for his strength and activity, and exerting himself to the utmost, he knocked one of them down, put the other to flight, and thus liberated himself from his unpleasant situation. Colonel Clarke was every inch a hero. In feats of arms he was ever plucky and powerful. He was the most noted partisan leader in Georgia. In alluding to this engagement Colonel Shelby spoke of it as "the hardest and best fought action he ever was in."

Soon after this affair Colonel Clarke returned to Georgia with his command. In a circular letter, addressed by Lord Cornwallis to his subalterns commanding various advanced posts, appeared the following severe injunctions: "The inhabitants of the Provinces who have subscribed to and taken part in this revolt should be punished with the utmost rigour: and also those who will not turn out shall be imprisoned and their whole property taken from them or destroyed. I have ordered in the most positive manner that every militia man who has borne arms with us, and afterward joined the enemy, shall be immediately hanged. I desire you will take the most rigourous measures to punish the rebels in the district in which you command, and that you obey in the strictest manner the directions I have given in this letter relative to the inhabitants in this country."

Under color of this authority, cruelties the most barbarous were practiced. Grievous punishments were inflicted without even the forms of trial. Condemnations and executions occurred, the prisoners being unacquainted with the offenses with which they were charged. The morning after this sanguinary order was received in Augusta five victims were taken from the jail, and by order of Colonel Brown were publicly strangled on the gibbet.[1] Confiscations were multiplied, and a reign of terror overspread such portions of Georgia and South Carolina as were under the control of the king's forces.

Hoping that this inhuman order would rouse the manhood of

[1] McCall's *History of Georgia*, vol. ii. p. 320. Savannah. 1816.

the State to determined resistance and concentrate the friends of American liberty in a supreme effort for its assertion, Colonel Clarke, in association with Lieutenant-Colonel McCall, planned an expedition for the capture of Augusta. In the success of the enterprise they were the more inclined to repose confidence because Lord Cornwallis, in mustering his forces to oppose General Gates, had materially depleted the garrison at that point. It was hoped that they might, within a short time, by their joint exertions raise an army of one thousand men. With such a force it was believed that Brown would be compelled to evacuate his post, and that the northern and western divisions of Georgia and South Carolina would be speedily restored to their Confederate allegiance. Soap Creek in Georgia, forty miles northwest of Augusta, was agreed upon as the place of rendezvous.

Entering Wilkes County about the 1st of September, 1780, Colonel Clarke succeeded, within less than two weeks, in placing in the field some three hundred and fifty men. After the most strenuous efforts expended in the western part of Ninety-Six district, in South Carolina, Colonel McCall persuaded only eighty men to accompany him upon the expedition. A union of these detachments occurred at Soap Creek at the appointed time. Celerity of movement being all important, Colonel Clarke put his column on the march without delay and, on the morning of the 14th of September, halted near Augusta and formed his command for action. The enemy was ignorant of his purpose until he appeared before the town. One division, commanded by Lieutenant-Colonel McCall, was instructed to enter Augusta by the lower road. The left division, led by Major Samuel Taylor, was ordered to approach by the upper road, while Colonel Clarke in person, with the centre division, was to effect an entrance by the middle or southern road. Moving rapidly and simultaneously these divisions advanced upon Augusta.

Near Hawk's Creek on the west, Major Taylor fell in with an Indian encampment which he at once carried. The savages retreated upon their allies, keeping up a desultory fire as they retired. This assault upon the Indian camp gave to Colonel Brown the first intimation of the approach of the Americans. Taylor pressed on to gain possession of McKay's trading post, denominated the *White House*, and situated about a mile and a half west of Augusta as the town then stood. This house was occupied by a company of the King's Rangers commanded by Captain Johnston. Thither did the retreating Indians betake

themselves. Ordering Grierson to reinforce Johnston, Brown advanced with the main body of his troops to contest the entrance of the Americans. Completely surprised by the centre and right divisions, the forts surrended after scarcely a show of resistance. Seventy prisoners and a large quantity of Indian presents[1] fell into the hands of the captors. These being secured and left under the charge of a suitable guard, Colonel Clarke hastened to the assistance of Major Taylor.

Meanwhile, Brown and Grierson had joined Johnston and the Indians at the White House and entered upon its vigorous defense. Taking possession of several small houses to the eastward, Clarke endeavored, under their cover, to dislodge the enemy. The attempt proved futile. From eleven o'clock in the forenoon until nightfall an irregular fire was maintained between the contending parties, but without producing any material impression. It was manifest that the enemy could not be driven from his stronghold without the assistance of artillery. Sheltering themselves behind the bank of the river, and protected by the trees which grew along the margin, such of the Indians as could not be accommodated in the White House found security in that locality, and thence delivered a careful and annoying fire. Hostilities ceased with the close of the day, and strong guards were posted to prevent the escape of the enemy.

Under cover of the night Brown materially strengthened his position by throwing up earthworks round the house. The space between the weather boarding and the ceiling was filled with sand and clay so as to render the structure proof against musketry. The windows were secured by boards taken from the floors, and loop-holes were constructed at convenient distances. Every material at command was utilized in enhancing the defensive power of the building.

The next morning two pieces of light artillery, a four-pounder and a six-pounder gun, were transported from Fort Grierson and placed in position so as to bear upon the White House. Their carriages not being adapted for field service, and their management being unskillful, these guns proved of little avail. Captain Martin, too, the only artillerist in Clarke's command, was unfortunately killed just after the guns were brought into action. A musketry fire was directed during the day against the enemy, who evinced no intention either of abandoning the post or of surrendering.

[1] Their aggregate value was reckoned at £4,000. See *Letter of Governor Wright to Lord George Germain*, dated Savannah, September 18, 1780.

During the night of the 15th Brown was reinforced by fifty Cherokee Indians who, well armed, crossed the Savannah in canoes and participated in the defense. Before daylight on the morning of the 16th the Americans succeeded in driving the Indians from their shelter along the river bank and in completely cutting off the garrison from its water supply. Thus was the enemy greatly inconvenienced and the sufferings of the wounded became intense. Their cries for water and medical aid were heart-rending. A horrid stench, arising from the dead bodies of men and horses, enhanced the miseries of the situation. Brown himself, shot through both thighs, was suffering terribly, but his desperate courage never for a moment forsook him. Ignoring the tortures of his wounds, he remained booted at the head of his gallant band, directing the defense and animating his troops by his presence and example. In order to atone in some degree for the absence of water, he ordered all the urine to be carefully preserved in earthen vessels found in the store. When cold, this was served out to the men, he himself taking the first draught.[1] A more frightful illustration of the extremity of the situation cannot be imagined. Summoned to surrender on the 17th, he promptly refused the demand, and warned Colonel Clarke that his present demonstration would eventually bring destruction and devastation upon the western division of Georgia. The summons was repeated in the afternoon with an avowal of a fixed determination on the part of the Americans to reduce the garrison at every sacrifice. Brown's only reply was that he should defend himself to the last extremity. Never was braver foe brought to bay. His wonderful resolution sustained all his followers in their dire distress.

Upon the appearance of the Americans, Colonel Brown had dispatched messengers by different routes to inform Colonel Cruger at Ninety-Six of his situation, and to urge that reinforcements should be immediately sent to his relief. Sir Patrick Houstoun, one of these messengers, was the first to reach Ninety-Six. He communicated the perilous posture of affairs. Cruger lost no time in repairing to the scene of conflict. During the night of the 17th Colonel Clarke was informed by his scouts that Colonel Cruger, at the head of five hundred British regulars and royal militia, was advancing by forced marches for the succor of the besieged. In direct disobedience of orders many of Colonel

[1] See Lee's *Memoirs of the War in the Southern Department*, vol. i. p. 207. Philadelphia. 1812.

Clarke's men had gone to Burke County to see their families and friends from whom they had long been separated. Others, actuated by the love of booty, had decamped carrying with them the goods which Brown had recently received to be distributed as presents among the Indians.

About eight o'clock on the morning of the 18th the British troops appeared on the opposite bank of the Savannah River. In his enfeebled condition, his ranks depleted by wounds, death, and desertion, Colonel Clarke was compelled to raise the siege. The Americans retreated about ten o'clock, having sustained a loss of sixty in killed and wounded. Among the former were Captains Charles Jourdine and William Martin, and William Luckie, a brave and much-respected young man from South Carolina, who fell early in the contest while endeavoring to gain possession of the White House.

Such of the republicans as were badly wounded were left in the town. Thus did Captain Ashby, an officer noted for his bravery and humanity, and twenty-eight soldiers fall into the hands of the enemy. He and twelve of the wounded prisoners were forthwith hung upon the staircase of the White House, where Brown was lying wounded, that he might enjoy the demoniacal pleasure of gloating over their expiring agonies. Their bodies were then delivered to the Indians who, after scalping and mutilating them, threw them into the river. Henry Duke, John Burgamy, Scott Reeden, Jordan Ricketson, Darling, and the two brothers Glass, youths of seventeen and fifteen years of age, were choked to death under a hastily constructed gibbet. Their fate, however, was mild when contrasted with that reserved for other prisoners who were delivered into the hands of the Indians that they might be avenged of the losses which they had sustained during the siege. Placing their victims in the centre of a circle, they consigned them to blows, cuts, scalping, burning, and deaths most horrible. Seventy savages had fallen at the hands of the Americans, and thus did their surviving companions offer sacrifices to their manes. The brutalities inflicted by Brown and his followers on this occasion stagger all comprehension and transcend civilized belief.

Major Carter, who accompanied the division assaulting by the upper road, encountered a mortal hurt at the door of the White House while endeavoring to prevent the enemy from gaining possession of that structure. At great hazard he was borne off by his comrades, who conveyed him to the plantation of Mrs.

Bugg, where he expired a few days afterwards. To him Colonel Clarke paid this tribute: "A man of more bravery than Major Carter never occupied a space between heaven and earth."

Among the British slain were Captain Andrew Johnston and Ensign Silcox, of the Florida Rangers. Brown's command on this occasion consisted of two hundred and fifty loyalists, — chiefly Florida Rangers, — an equal number of Creek warriors, and fifty Cherokees.

Before retiring Colonel Clarke paroled the officers and men whom he had captured. Among them were Captain James Smith and forty-one of the King's Rangers, a commissioned officer and eleven men of DeLancey's corps, and a surgeon. In entire disregard of the obligations into which they had entered, these officers and soldiers resumed their arms immediately upon the departure of the Americans.

No sooner had the republican forces retreated than Colonel Brown sent out detachments in every direction to arrest all persons who had participated in the siege or sympathized in the effort to recapture Augusta. Captain Kemp, with a small party of rangers, surprised Colonel Jones and five companions in a house on Beech Island. James Goldwire was killed. Although Jones and two of his company were wounded, they succeeded in repelling the rangers and in taking refuge in a swamp. While there concealed and awaiting recovery from his wounds, Jones was discovered and made prisoner. The loyalists clamored for his life, which was saved through the personal exertions of Captain Wylly, who surrounded him with a guard.

The entire adjacent country was subjected to a rigorous search. Republican sympathizers were dragged from their homes and crowded into wretched prisons. Those suspected of having belonged to Clarke's command were hung without even the mockery of a trial. Venerable men, beyond the age of bearing arms and standing aloof from the contest, were consigned to filthy jails for no reason save that they welcomed the return of sons and grandsons who had long been absent in the armies of the Revolution. Witness the sufferings of the father of Captains Samuel and James Alexander. In the seventy-eighth year of his age he was arrested by order of Colonel Grierson, chained, and dragged at the tail of a cart forty miles in two days. When attempting to obtain some rest for his feeble limbs by leaning against the vehicle, he was ignominiously scourged by the driver.

Closely confined in Augusta, these old men were held as hos-

tages for the neutrality of the country. Succumbing to the rigors of ill-usage, the ravages of small-pox, and the privations incident to their sad situation, few survived to behold the eventual triumph of the patriots. Some twenty-five prominent persons who had been paroled in Augusta were sent to Charlestown. Among these may be mentioned Majors George Handley and Samuel Stirk, Captain Chesley Bostwick, Mr. John Wereat, and several members of the executive council of Georgia.[1]

Thus did Colonel Brown, smarting under bodily pain and remembered indignities, make good his threat uttered in the White House. Thus did he satiate his revenge. The homes of the patriots were filled with blood, ashes, and tears. The republicans were compelled to pass under a yoke too heavy for the stoutest neck. Further sojourn in this region was rendered intolerable, and multitudes forsook the territory dominated over by the insatiate Brown and his followers.

Colonels Clarke and McCall have been severely although unjustly criticised for inaugurating this movement against Augusta. Had they succeeded, praise and not censure would have been the general verdict. By some the expedition was denounced as an "ill-timed and a premature insurrection." Such language did not emanate from patriotic lips. The undertaking was well conceived and vigorously pressed. But for the lack of field artillery the White House would have been carried prior to the appearance of Colonel Cruger. That the failure of the effort to retake Augusta inflamed the Royalists and entailed additional miseries upon the region cannot be doubted. The entire affair was a warlike mischance encountered by men patriotic in their impulses, zealous in their action, and eager to achieve a great good.

After raising the siege of Augusta Colonel Clarke retreated to Little River and there disbanded his force that his men might visit their homes preparatory to service in distant fields. Late in September he again found himself at the head of a detachment numbering three hundred men. At the place of rendezvous were collected four hundred women and children, with their personal effects, craving permission to follow the army to a place of safety. For two years past the agricultural operations of this portion of Georgia had been so much disturbed that very many of the fields remained uncultivated. Poverty lay down at the doors of not a few, and the curses of the tyrant were heard

[1] See McCall's *History of Georgia*, vol. ii. pp. 320–330. Savannah. 1816.

everywhere. It was the part of humanity to hearken to the prayers of this helpless population and to guide it into abodes of peace and plenty. For eleven days did Colonel Clarke and his command escort this congregation of women and children through mountainous regions and unaccustomed paths to avoid interruption by the enemy. It was a journey replete with difficulties and privations, but there came no murmurings by the way, and at last the patient travelers, foot-sore, weary, and pinched by hunger, found rest, homes, and entertainment at the hands of the generous dwellers by the banks of the Waturga and the Nolachuckie rivers. In this beautiful region, guarded by mountains, with its sweet waters, grand forests, and fertile valleys, unvexed by royal proclamations, unvisited by the despoiler, and rejoicing in the hospitality of a brave, honest, virtuous, and liberal people, did these refugees abide until the storm of war was overpast, until the gentle sounds of assured peace lured them back to their Georgia homes.

While Colonel Clarke was conducting his charge to this place of security he was advised that Colonel Ferguson was trending upward to intercept him, and that Colonel Campbell was collecting a force with which to dispute his advance. Unable to turn aside from the accomplishment of the humane mission which was then engaging his attention, he detached Major Chandler and Captain Johnston with thirty men to participate in those operations which culminated so gloriously in the memorable battle of King's Mountain.

Having safely guarded the Georgia refugees to their temporary homes, Colonel Clarke returned to the borders of South Carolina, and there held his veterans in readiness for active service. South of the Savannah matters were now in a condition of painful repose and silent unrest. The manhood of the State was largely withdrawn, doing battle beyond her confines for the common cause.

CHAPTER XXIV.

THE REPUBLICANS OF GEORGIA ALMOST IN EXTREMIS. — THEIR MARVELOUS COURAGE AND ENDURANCE. — INFLUENCE OF WOMAN. — COLONELS TWIGGS AND CLARKE DEFEAT MAJOR WEMYSS AT FISH DAM FORD. — TARLETON'S DISCOMFITURE AT BLACKSTOCKS. — SUMTER WOUNDED. — GALLANTRY OF MAJOR JACKSON. — AFFAIR AT LONG CANE. — COLONEL CLARKE DANGEROUSLY WOUNDED. — COLONEL PICKENS RESUMES HIS SWORD. — GENERAL GREENE ASSIGNED TO THE COMMAND OF THE SOUTHERN DEPARTMENT. — LIEUTENANT-COLONEL HENRY LEE. — GENERAL MORGAN'S ADDRESS TO THE GEORGIA REFUGEES. — MAJOR JOHN CUNNINGHAM. — BATTLE OF THE COWPENS. — GENERAL PICKENS' TRIBUTE TO MAJOR JACKSON. — AFFAIR AT BEATTIE'S MILL. — EFFECT OF THE BATTLE OF GUILFORD. — CORNWALLIS MOVES NORTHWARD. — OPERATIONS OF COLONELS CLARKE, BAKER, HAMMOND, AND WILLIAMSON. — UPPER GEORGIA FILLED WITH MOURNING AND DESOLATION. — AFFAIR NEAR MATTHEW'S BLUFF. — HARDEN DEFEATED BY BROWN NEAR WIGGIN'S HILL. — REPUBLICAN PRISONERS BUTCHERED. — CHARACTER OF COLONEL BROWN.

NEVER was the patriotism of any people more sorely tried than was that of republican Georgians during the winter of 1780. Their affairs were literally *in extremis*. Of commerce there was none save an occasional introduction, at great hazard, of salt and military supplies. Agriculture, for some time on the wane, was now pursued with no expectation of profit, but simply as a means whereby a meagre subsistence might be obtained. Only such raiment was procurable as domestic industry evoked from the rude spinning-wheel and the cumbersome hand-loom. The temples of justice were closed, and there were no live coals on the altars dedicated to Jehovah. School-houses were rotting in silence and no sound of merriment was heard in the land. Confiscations, conflagrations, thefts, murders, and sanguinary royal edicts had wrought sad havoc and engendered mourning almost universal. Poverty and ruin dwelt everywhere, and for months the signs of patriotic life in Georgia were most feeble and spasmodic. The paper currency, the only circulating medium known to the inhabitants, had so effectually lost its purchasing power that the pay of a captain in the rebel service for an entire month was incapable of procuring for him a pair of common shoes. The

pecuniary compensation of the private soldier was literally nothing, and his supply of food and clothing was limited and precarious in the extreme.

That the Confederation, under such circumstances, should have been able to enlist soldiers and to offer effectual resistance appears almost inexplicable: for history teaches that in the maintenance of protracted wars, no matter what the patriotism and endurance of the contestants may be, reasonable pay and sufficient rations are absolutely requisite to insure efficient service in the field and contentment at home. The struggles of the American colonies in their rugged march toward the achievement of liberty are without parallel in the record of revolutions. As we look back upon this period of privation, self-denial, desolation, and supreme effort, we marvel at the heroic spirit which possessed this beleaguered land. As we contrast the armies of the republicans with those of other nations renowned for valor and patriotism, we wonder at the inspiration which sustained them and the zeal for independence which enabled them to suffer every want and overcome all obstacles. In the darkest hours of this deadly conflict how sublime the influence and the example of woman! The presence of her sympathy and aid, the potency of her prayers and sacrifices, the eloquence of her devotion, her tears, and her smiles, were priceless in the encouragement they gave and more effective than an army with banners. The gentle hands of wives, mothers, and sisters furnished clothing, prepared ammunition, and manufactured war-trappings for the soldiers in the field. Sometimes they grasped weapons, and in lonely dwellings defended life and virtue against the unholy assaults of the loyalists.[1]

Oppressed by the disagreeabilities of the situation and the insecurity of their homes many of the Georgia republicans led their families to distant abodes, and, the theatre of war being transferred to the Carolinas, under favorite partisan leaders there associated themselves and bravely contended for the right.

With a command of four hundred and twenty-five men Colonel Sumter had moved from Fishing Creek and taken post at the Fish Dam ford on Broad River, twenty-eight miles from Winnsborough. There, on the 9th of October, 1780, he was joined by Colonels Elijah Clarke and John Twiggs, and Majors Chandler and James Jackson, accompanied by one hundred of the Georgia

[1] See the exploits of Nancy Hart, White's *Historical Collections of Georgia*, p. 441. New York. 1855.

militia. Conceiving it practicable to surprise Sumter in his camp, Lord Cornwallis detached Major Wemyss with the 63d regiment, mounted, and some fifty dragoons, to capture or disperse his force. After a march of twenty-four miles through a country in sympathy with the Crown, and from the inhabitants of which he received every needed information, Major Wemyss, at four o'clock on the morning of the 13th, charged the American camp which he at first almost carried. A destructive fire from Winn's men and the Georgians under Twiggs, who had hastily formed behind a fence, checked the enemy's advance and quickly converted the attack into a retreat. Major Wemyss was badly wounded. Twenty of his command were killed, and many were disabled.

Passing over Broad River Sumter marched to Shirer's ferry, and there menaced a British post. The garrison refused to venture beyond their works, which could not be carried in the absence of artillery. On the 18th he established himself at Blackstocks, on the south side of Tyger River.

Hearing that Sumter had crossed Broad River, and conjecturing that he was meditating a demonstration against Ninety-Six, Lord Cornwallis determined to strike another and a heavier blow for his destruction. Colonel Tarleton, with his legion and the 63d regiment led by Major Money, was ordered to attack vigorously, while a portion of the 71st regiment was pushed forward to Broad River to support the movement. Tarleton's column consisted of four hundred mounted men and three hundred infantry.

On the morning of the 20th of November, as he drew near to the camp of the Americans, he fell in with Captain Patrick Carr, who, with a few men, had been sent out on a scout. He had captured three loyalists and two boys and was conducting them to Sumter when his party was fired upon by the British. Abandoning his prisoners he fled and gave the alarm of the enemy's advance. The position of the Americans was well selected and capable of easy defense. The hillside in their front was precipitous. Their rear and right flank were rendered secure by Tyger River, while their left was covered by a strong log barn, occupied by a competent force, and well adapted to the use of musketry. In his hot haste leaving his infantry to follow on, and placing himself at the head of two hundred and fifty of his best dragoons, Tarleton charged rapidly upon Sumter. He was handsomely received by the Georgians under Twiggs. Re-

coiling, he massed his forces for another assault, and the action soon became general. In this engagement the British displayed conspicuous valor, but they were unable to overcome the stout resistance interposed by the republicans. The 63d regiment was roughly handled. Major Money, commanding, Lieutenants Gibson and Cope, and one third of the privates fell.[1] Unable to dislodge his antagonist, Tarleton was compelled to fall back. In the midst of the battle Sumter was disabled by a shot in the right shoulder,[2] and the command devolved upon Colonel Twiggs who bravely and intelligently sustained the fortunes of the day. In his retreat Tarleton was pursued by a cavalry force under the command of Major James Jackson, who succeeded in capturing thirty dragoon horses. But one American was killed in this engagement, and he was a Georgian from Wilkes County, Rogers by name. Sumter and two privates were wounded. Of the enemy ninety-two were killed and one hundred wounded. Retiring from the scene of action the English commander proceeded about two miles, and there, in the midst of a heavy rain, encamped for the night.

Upon the disappearance of the enemy Colonel Twiggs, apprehending a renewal of the attack in the morning and knowing that British reinforcements were at hand, having sheltered the wounded who had been abandoned by the British, withdrew his forces across the Tyger River, leaving Colonel Winn and his detachment to retain possession of the battlefield until after nightfall. Before morning he was joined by this command. The ball having been extracted from his shoulder, Sumter was placed on a bier, suspended between two horses, and was thus transported to a place of safety.

Indulging in his usual exaggeration Colonel Tarleton advised his chief that he had won a signal victory, cutting to pieces the rebel rear-guard and slaying one hundred of the enemy, among whom were three colonels. He claimed also to have captured fifty prisoners. This absurd statement he deliberately reaffirms in his "History of the Campaigns of 1780 and 1781 in the Southern Provinces of North America."[3] "The real truth is," says

[1] Stedman's *History of the American War*, vol. ii. p. 230. London. 1794.

[2] When wounded, this gallant officer requested his aid-de-camp, Captain Henry Hampton, to return his sword into its scabbard, to direct one of the men to lead off the horse on which he was mounted, to say nothing about the casualty, and to "request Colonel Twiggs to take the command." McCall's *History of Georgia*, vol. ii. p. 346. Savannah. 1816.

[3] Page 179. London. MDCCLXXXVII.

Lieutenant Roderick McKenzie,[1] "that the Americans, being well sheltered, sustained very inconsiderable loss in the attack; and as for the three Colonels, they must certainly have been imaginary beings, 'men in buckram,' created merely to grace the triumphs of a victory which the British army in Carolina were led to celebrate amidst the contempt and derision of the inhabitants who had much better information." The conduct of Major James Jackson in this action secured for him a high reputation for valor and intrepidity,[2] and the dexterity of the Georgia Wilkes County riflemen elicited the admiration of the entire command.

These successes of the Revolutionists at Fish Dam ford and at Blackstocks inspired the militia with confidence, modified the impressions hitherto entertained by many of the invincibility of British regulars, and tinged with a silver lining the war cloud which had settled so long and so darkly upon the country.

Of all the settlements in the vicinity of Ninety-Six that of Long Cane sympathized most with the aspirations of the republicans. Thither did Colonels Clarke and McCall repair to recruit their ranks. Their encampment was pitched upon Long Cane Creek, and their expectation was that their forces would soon be so materially augmented that they would be sufficiently powerful to confine the British closely within their stronghold at Ninety-Six. Early in December Colonel Benjamin Few arrived, and, being the senior officer present, assumed command.

Colonel Cruger, who was still charged with the defense of Ninety-Six, ordered Lieutenant-Colonel Allen, with two hundred regulars, an equal number of loyalists, and fifty dragoons, to drive Few from the country. In the execution of this command the British forces approached within three miles of the American camp before their presence was detected. Colonel Clarke, with Lieutenant-Colonel McCall, Major Lindsey, and one hundred militia from Georgia and Carolina, moved promptly forward to stay the advance of the enemy until the main body could prepare for action. At a remove of a mile and a half from camp he fell in with the British vanguard composed of royal militia. A lively action ensued, during which Colonel Clarke received in the shoulder what at the moment was supposed to be a mortal wound, and was borne from the field. In ten minutes the Royalists were

[1] *Strictures on Lieutenant-Colonel Tarleton's History*, etc., p. 78. London. MDCCLXXXVII.

[2] See Charlton's *Life of Major-General James Jackson*, Part I. p. 21. Augusta. 1809.

driven back. Meanwhile Colonel Allen, having deployed his regulars, advanced with charged bayonets. Colonel McCall was wounded in the arm. His horse was shot under him, and, in falling, so entangled his rider that he narrowly escaped capture. In retreating the Americans were closely pursued by the dragoons. Major Lindsey, thrice wounded, had fallen to the ground. While in this disabled condition Captain Lang, of the dragoons, with a barbarity almost surpassing belief, sabred him several times on his head and arms and cut off one of his hands. Fourteen of the Americans were killed (some of them butchered as they lay bleeding in the road), and seven were wounded. As the survivors of this unequal contest reached the American camp they found Colonel Few and the main body in the act of retreating. Although summoned by Colonel Clarke to his assistance at the commencement of the affair, he excused himself from not responding by asserting that the force of the enemy was so decidedly superior to his own he deemed it entirely imprudent to hazard a general engagement. As a matter of fact his command exceeded that of the British by full fifty men, and his conduct was severely criticised by his brother officers. The Americans fell back into North Carolina. With great difficulty and in extreme pain was Colonel Clarke conveyed to a place of safety. During his absence from the army, enforced by this wound, Major John Cunningham was for some time in command of the Georgia troops.

Captain Dunlap's dragoons, associated with a band of loyalists, having in their vandal raid destroyed Colonel Pickens' residence and deprived him of all his personal property, that officer rightly judging that the conditions of his protection had been broken by the British, determined to resume his arms and again lead his people in defense of their property and liberty. Although cautioned by Captain Ker that he would fight with a halter around his neck his response was "that he had honorably and conscientiously adhered to the rules laid down in his protection, but that he considered himself completely absolved from its obligations by the plunder and wanton waste which had been committed upon his farm, and the insults and indignities which had been offered to his family."

Yielding to the suggestion of General Washington, Congress, after the defeat of Gates, assigned Major-General Greene to the command of the Southern Department. No better selection could have been made. The country rejoiced at the presence of this

genuine patriot and most trustworthy leader. "I introduce this gentleman," wrote the commander-in-chief of the American armies, "as a man of abilities, bravery, and coolness. He has a comprehensive knowledge of our affairs, and is a man of fortitude and resources. I have not the smallest doubt, therefore, of his employing all the means which may be put into his hands to the best advantage, or of his assisting in pointing out the most likely ones to answer the purposes of his command." That he might be ably supported in his mission, which contemplated nothing less than the restoration of the Carolinas and of Georgia to the enjoyment of American liberty and home rule, General Washington detached from his command for service in the Carolinas his best cavalry officer, Lieutenant-Colonel Henry Lee, with his legion, consisting of three troops of horse and three companies of infantry. The gallant Morgan, too, and Kosciuszko were among his lieutenants. Rapidly did the affairs of the patriots emerge from their disjointed condition. Order and strength were developed, and Cornwallis and Tarleton found to their cost that the days of tyranny were well-nigh numbered.

Pickens, upon retaking the field, being the senior colonel, was in command of the Georgia troops on duty in that district. At Grindal's ford he effected a junction with General Morgan who, from his camp on Pacolet River, on the 4th of January, 1781, published the following address to the refugees from Georgia: —

"Gentlemen, — Having heard of your sufferings, your attachment to the cause of freedom, and your gallantry and address in action, I had formed to myself the pleasing idea of receiving in you a great and valuable acquisition to my force. Judge then of my disappointment when I find you scattered about in parties, subjected to no orders, nor joining in any general plan to promote the public service. The recollection of your past achievements and the prospect of future laurels should prevent your acting in such a manner for a moment. You have gained a character, and why should you risk the loss of it for the most trifling gratifications? You must know that in your present situation you can neither provide for your safety nor assist me in annoying the enemy. Let me then entreat you by the regard you have for your fame, and by your love to your country, to repair to my camp and subject yourselves to order and discipline. I will ask you to encounter no dangers or difficulties but what I shall participate in.

"Should it be thought advisable to form detachments you may rely on being employed on that business if it is more agreeable to your wishes: but it is absolutely necessary that your situation and movements should be known to me, so that I may be enabled to direct them in such a manner that they may tend to the advantage of the whole.

"I am, Gentlemen, with every sentiment of regard,
Your obedient servant,
DANIEL MORGAN."[1]

This timely address was not barren of results. The reflection which it contained upon the irregular military service of Georgians in Carolina, and their lack of organization, was pertinent. Many recognized the potency of the appeal and hastened to place themselves under the leadership of one who soon afterwards triumphed so signally over the flower of the British army led by the vainglorious but daring and ubiquitous Tarleton.

Lieutenant-Colonel McCall was directed to select forty-five men who, when equipped as dragoons, were to form a part of Colonel William Washington's regiment. Among them were several Georgians. The other Georgians who reported at General Morgan's camp were organized under the command of Major John Cunningham.[2]

Then followed the glorious battle of the Cowpens in which the Georgians, officered by Major Cunningham and Captains Samuel Hammond, George Walton, and Joshua Inman, were placed in the first line and behaved with conspicuous gallantry. Captain Inman was "peculiarly serviceable" in advising General Morgan of the enemy's approach and in skirmishing with his advance. Major James Jackson acted as brigade-major to all the militia present, and enjoyed the honor of capturing with his own hands Major McArthur, commanding the British infantry. At the imminent risk of his life he attempted to seize and bring off the colors of the 71st regiment when it was endeavoring to form after having been broken. For this daring feat he was publicly thanked by General Morgan upon the field.[3] Sixteen years subsequently, when in the heat of political discussion it was falsely suggested that the military services of this gallant officer had been exaggerated by his friends, the following communication[4]

[1] See Charlton's *Life of Jackson*, p. 24. Augusta. 1809.

[2] See McCall's *History of Georgia*, vol. ii. p. 354. Savannah. 1816.

[3] See *Letter of Jackson to General Morgan*, dated "Senate Room, United States, Philadelphia, January 20, 1795."

[4] Charlton's *Life of Jackson*, Part I. p. 25. Augusta. 1809.

was penned by his immediate commander in that memorable battle:—

"LONG CANE, *February 6th*, 1797.

"DEAR SIR,—Understanding that some attacks have been made on your military reputation by some of your enemies in Georgia, it is with sincere pleasure and satisfaction that I have it in my power to send you the enclosed certificate, having been witness to what is there declared.

"Accept my sincere wishes for your happiness and welfare, and am with much respect, dear Sir,

"Yours, ANDREW PICKENS.

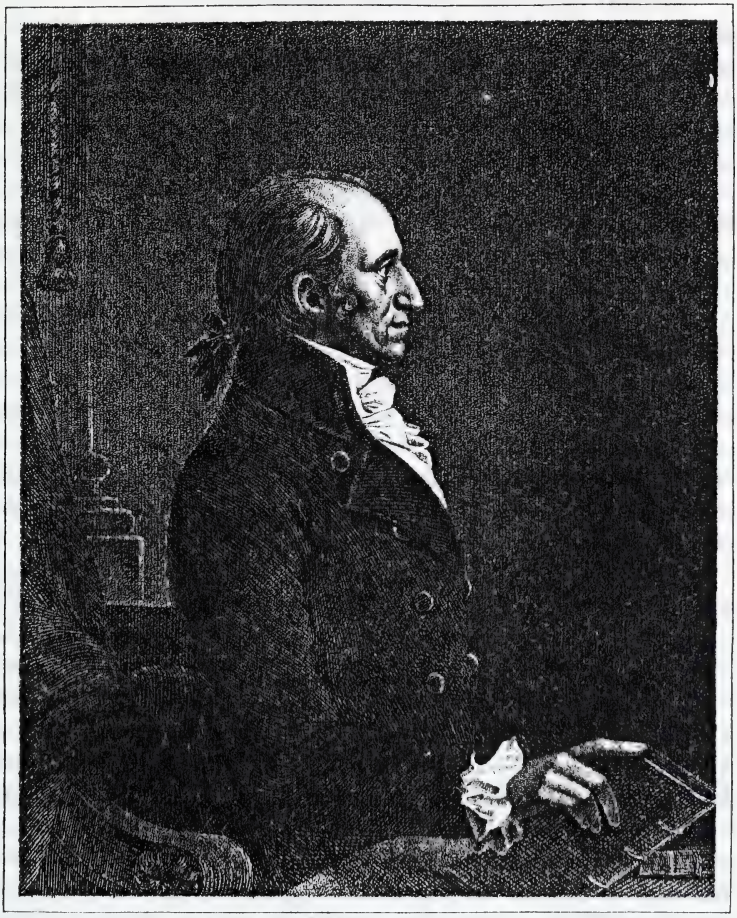
"TO GENERAL JAMES JACKSON."

"I hereby certify and declare that Major, now General Jackson, and a party of Georgia Militia were under my command at the battle of the Cowpens in South Carolina on the 17th January, 1781, and that the said Militia acquitted themselves equally well with the other forces on that memorable day. Major Jackson acted as my Brigade Major, and by his example and firm, *active* conduct greatly contributed to ANIMATE THE TROOPS AND ENSURE THE SUCCESS OF THE DAY.

"I further declare that Gen. Morgan was highly satisfied with Major Jackson's conduct, and am certain that it must have been owing to accident or mistake that his name was not returned to Congress as one of the officers who particularly signalized themselves at the Cowpens: the Major having in the face of the whole army run the utmost risk of his life in seizing the colors of the 71st British regiment, and afterwards introducing Major McArthur, commanding officer of the British infantry, as a prisoner of war to Gen. Morgan.

"I further declare that Major Jackson's conduct during a severe tour of duty in North Carolina, in the face of Lord Cornwallis' army whilst the brigade I had the command of was attached to the light troops of General Greene's army, was such as merited and gained not only my approbation but that of Major General Greene who determined from that period to give Major Jackson the command of a State Corps, which was soon after raised by direction of General Greene.

"At the siege of Augusta Major Jackson's exertions in the early period of the siege laid the groundwork for the reduction of that place. He led one of the advanced parties, as Capt. Rudolph did another, at the storming of Grierson's fort, and had the command of a moving battery at the time of the surrender



Andrew Jackson.



of Fort George, in which he conducted with honor to himself and his country.

"Certified this 6th February, 1797.

ANDREW PICKENS, *Brigadier General.*"

"I think it a duty to my children, as the history of my State is to be told, to have some insertion *even of my conduct* in that well-fought battle. You, Sir, were rendered immortal by the action. My ambition is to let my descendants and the citizens of Georgia know that I was present and contributed my mite to your glory." Such was the language of Major Jackson, then representing the State of Georgia in the Senate of the United States, as he applied, in 1795, to General Morgan for a statement of the services rendered by him in the battle of Cowpens that he might place it in the hands of Mr. Edward Langworthy, who was engaged in the preparation of a history of Georgia. Entirely inadvertent must have been the omission on the part of General Morgan to mention, in his official report of the battle, the distinguished gallantry of Major Jackson on this occasion. "Our success," wrote he in his modest report, "must be attributed to the justice of our cause and the gallantry of our troops. My wishes would induce me to name every sentinel in the corps."

The fame of the victory at the Cowpens spread throughout the land, bringing joy and hope to every patriot heart. Greene announced this triumph in general orders. Governor Rutledge rewarded Colonel Pickens with a commission as brigadier-general. To Morgan a horse and sword were voted by Virginia in testimony of the "highest esteem of his country for his military character and abilities so gloriously displayed." The United States Congress recorded the nation's "most lively sense of approbation of the conduct of Morgan and the men and officers under his command," voting to him a gold medal, to Howard and Washington medals of silver, and swords to Pickens and Triplet.[1]

Of the eleven Americans killed in this action, three were Georgians; and, of the sixty-one wounded, five were from Georgia.

When Colonel Howard, in a conversation with Major McArthur, expressed surprise at the precipitate and desultory manner in which the British troops were led into this action, the reply of that captive officer was: "Nothing better could have been expected when they were commanded by a rash, foolish boy."

[1] See Bancroft's *History of the United States*, vol. x. p. 466. Boston. 1874.

Prior to the engagement Tarleton had promised Cornwallis to escort Morgan to dine with him at Turkey Creek. This was not the only occasion on which that officer failed to keep his engagements. So completely did he enjoy the confidence of Lord Cornwallis that, in the teeth of this disaster, his lordship sent the following dispatch to his chief of cavalry: "You have forfeited no part of my esteem as an officer by the unfortunate event of the action of the 17th. The means you used to bring the enemy to action were able and masterly, and must ever do you honor. Your disposition was unexceptionable. The total misbehavior of the troops could alone have deprived you of the glory which was so justly your due."

While the earl was thus complimenting his subaltern and reflecting upon the conduct of his men, one hundred and ten of the brave fellows were lying cold in death, two hundred were suffering with wounds, and over five hundred were enduring confinement as prisoners of war. But for his fleet horse, Ban. Tarleton himself would have been numbered among the captives.

Continuing under the immediate command of General Pickens, Majors Jackson and Cunningham, with the Georgia troops, participated in various skirmishes and assisted, at Haw River, in the dispersion of a band of loyalists, who, assembled under Colonel Pyles, were endeavoring to form a junction with Cornwallis.

Ordered to return to the vicinity of Ninety-Six and to restrain the depredations of the British force stationed at that fortified camp, General Pickens turned his face homewards, and, on the march, was joined by Colonel Clarke just recovered from his severe wound. Learning that Major Dunlap with a detachment of seventy-five dragoons was guarding a large foraging party, General Pickens detached Colonels Clarke and McCall, with a suitable force, to attack him. They overtook him on the 21st of March, 1781, at Beattie's Mill on Little River. Taking possession of a bridge in his rear so as effectually to occlude his retreat, Clarke with his main body made a vigorous and unexpected charge upon Dunlap, who quickly retired with his men into the mill and some adjacent houses. Here for several hours he maintained a stout resistance. At length, thirty-four of the detachment having been killed and wounded and Major Dunlap himself lying almost dead with a mortal hurt, a white flag was displayed and an unconditional surrender ensued.

The battle of Guilford virtually terminated British dominion

in North Carolina and pointed the way to the reclamation of South Carolina and Georgia. For the British it drew after it all the consequences of a defeat, and may well be numbered as one of the decisive engagements of the Revolution. The commentary of Fox in the House of Commons was eminently wise. "From the report of Cornwallis," said he, "there is the most conclusive evidence that the war is at once impracticable in its object and ruinous in its progress. In the disproportion between the two armies a victory was highly to the honor of our troops, but had our army been vanquished what course could they have taken? Certainly they would have abandoned the field of action and flown for refuge to the seaside, — precisely the measures the victorious army was obliged to adopt." His motion was to recommend the ministry to employ every possible measure for concluding peace.

Without waiting for the approval of Sir Henry Clinton, Lord Cornwallis, no longer anxious to measure swords with General Greene, resolved that the Chesapeake should become the theatre of war. Late in April, moving onward into Virginia he unwittingly entered upon a campaign which, within less than six months, terminated in the disastrous surrender at Yorktown.

His enemy being thus beyond pursuit, General Greene bent his energies toward carrying the war immediately into South Carolina. Aware of this intention on the part of the commanding general, and anxious both to refresh his men and to recruit his command, Colonel Clarke obtained permission to return to Georgia. He had no sooner crossed the Savannah River than he was attacked with the small-pox and forced to turn over the command to Lieutenant-Colonel Micajah Williamson. Major Jackson, who, with Colonel Baker, had planned an expedition into Upper Georgia, was ordered with Major Samuel Hammond to enter South Carolina and assemble the militia on the left bank of the Savannah. In the execution of these instructions two hundred and fifty men were by them collected and organized. The command was entrusted to Colonel Le Roy Hammond.[1]

"When the Georgians returned into their country," writes Captain McCall,[2] "they dispersed into parties of ten and twelve men each, so as to spread themselves over the settlements, and appointed Dennis' Mill, on Little River, for the place of rendezvous. When these small parties entered the settlements where

[1] See Charlton's *Life of Jackson*, p. 30. Augusta. 1809.

[2] *History of Georgia*, vol. ii. p. 362. Savannah. 1816.

they had formerly resided, general devastation was presented to their view; their aged fathers and youthful brothers had been hanged and murdered; their decrepit grandfathers were incarcerated in prisons, where most of them had been suffered to perish in filth, famine, or disease; and their mothers, wives, sisters, daughters, and young children had been robbed, insulted, and abused, and were found by them in temporary huts, more resembling a savage camp than a civilized habitation. The indignant sigh burst from the heart of the war-worn veteran, and the manly tear trickled down his cheek as he embraced his suffering relatives. There is damning proof of the truth of this unvarnished tale; and the reader may imagine the feelings of the Georgian of that day, and the measure of his resentment. Mercy to a loyalist who had been active in outrage became inadmissible, and retaliative carnage ensued."

We may not deem this picture of the desolations of Upper Georgia as too highly colored. Brown and Grierson were the demons who set on foot and enforced the hellish work. Captain McCall with his own eyes had beheld some of the heart-rending scenes, the sad memory of which he thus perpetuates.

Captains Johnston and McKay, with a small body of energetic militiamen, established a post in the Savannah River swamp below Augusta where they frequently intercepted boats plying between that place and Savannah. Commerce between the two towns was chiefly conducted by means of the river, and it was often the good fortune of those officers to secure provisions and stores of considerable value. To dislodge them became absolutely necessary, and so Colonel Brown sent an officer, with twenty-five regular troops and twenty militiamen, to accomplish this desideratum. Near Matthew's Bluff McKay fell upon them, killed the officer in command and fifteen of his followers, and compelled the rest to retreat precipitately to Augusta.

Upon the return of the Georgians, apprehending that an effort would be made to retake Augusta, Colonel Brown summoned all his provincials for its defense. Not a few of them, mindful of the many enormities which they had committed and fearing to be cooped up within lines which might be carried, disobeyed the order and, repairing to the Indian country, united with the savages in harassing the frontiers.

Colonel Harden had been for some time organizing the militia in the southern portion of Carolina, and was developing considerable strength in the neighborhood of Coosawhatchie. A detach-

ment under Captain Wylly was sent to acquire information of his force and intentions. Wylly quickly reported to Colonel Brown that the Americans were advancing on Augusta. While moving upward, Harden was reinforced by Johnston and McKay. Hastily summoning such regulars, militia, and Indians as could be spared without endangering the safety of Augusta, Colonel Brown went to meet the republicans. He encamped for the night in a field at Wiggin's Hill. Here he was attacked by Harden. The conflict lasted half an hour, when the assailants were forced to retreat with a loss of seven killed and eleven wounded. Among the latter was Captain Johnston. Among the prisoners captured by the enemy was Wylly, who had acted in the capacity of a guide in conducting to Matthew's Bluff the detachment sent out to surprise the party commanded by Captains Johnston and McKay. He was accused of having misled that detachment, and was charged with treachery to the king. Upon this suspicion Colonel Brown turned him over to the Indians, who, in his presence, ripped open his belly with their knives and tortured him to death.

Another captive was Rannal McKay, a youth only seventeen years old and the son of a widow who, with her family, had fled from Darien into South Carolina for refuge. Informed that her son was a prisoner, Mrs. McKay, taking with her some refreshments which she thought would prove acceptable to the British commander and commend her to his favor, repaired to Brown's camp and craved the liberation of her boy. The monster accepted her present but, refusing her request and denying her an interview with her son, caused the sentries to force her beyond the limits of the encampment. The next morning McKay, Britton Williams, George Smith, George Reed, and a Frenchman whose name is not remembered, prisoners all, were taken from the rail pen in which they had been confined, were by Brown's order hung upon a gallows until they were almost choked to death, and were then cut down and delivered over to the Indians who scalped, mutilated, and finally murdered them in the most savage manner.[1]

Of all the inhuman characters developed during this abnormal period so replete with murder, arson, theft, brutality, and crimes too foul for utterance, none can be named more notorious than Thomas Brown, loyalist and colonel in his majesty's service. His acts incarnadine and encumber with barbarities the Revo-

[1] See McCall's *History of Georgia*, vol. ii. p. 366. Savannah. 1816.

lutionary pages in Georgia history. And yet this tyrant, this persecutor of defenseless women and children, this butcher of captives, this relentless, merciless persecutor of patriots, in a long letter penned from Nassau on the 25th of December, 1786, calls Dr. Ramsay to account for the strictures in which he justly indulges when reviewing his conduct, and enters upon a lengthy justification of some of the transactions which have rendered his reputation well-nigh infamous.

Bravery was his only redeeming trait, and that he possessed and exhibited in a wonderful degree. Loyalty to the king was the cloak which covered every excess. Revenge was the passion sweeter than all others. To his ears the dying groans of a republican were more enjoyable than strains of purest melody. Convicted in the city of London in 1812 of a grand forgery upon the government which he served, he ended his days in disgrace and ignominy.

The shadows which had so long enshrouded the hopes of the Revolutionists in Georgia were now lifting. The absent were returning and assembling in force for the salvation of their homes. Firm in the confidence and secure in the affection of the Southern Department, General Greene was hailed as the great and good genius of the hour. Brave men were projecting plans of deliverance, and among them was a scheme for the repossession of Augusta and the capture of the lawless men who had so grievously afflicted the region.

CHAPTER XXV.

Colonel Williamson invests Augusta. — Arrival of Colonel Clarke. — Major Dill defeated at Walker's Bridge. — Shelby and Carr defeat Brown's Detachment at Mrs. Bugg's Plantation. — Hayes and his Command murdered. — General Pickens and Lieutenant-Colonel Henry Lee ordered to assist in the Reduction of Augusta. — Lee captures Fort Galphin at Silver Bluff. — The Siege and Capitulation of Augusta. — Colonel Brown and Mrs. McKay. — Pickens and Lee rejoin General Greene. — Major Jackson left in Command of Augusta. — Rascality of John Burnet. — Governor Wright calls lustily for Aid.

Still suffering from the effects of the small-pox, Colonel Clarke was too feeble to take the saddle at the time appointed for the reassembling of his men at Dennis' Mill on Little River. Consequently, Lieutenant-Colonel Micajah Williamson assumed the command and, on the 16th of April, 1781, moved with the detachment to the vicinity of Augusta. There he was reinforced by Colonel Baker with as many militia as he had been able to collect in Southern Georgia, and by Captains Dunn and Irwin who brought with them some men from Burke County. Soon after, Colonel Hammond and Major Jackson arrived with such of the Carolina militia as they had been successful in recruiting in the neighborhood of Augusta.

With this force, which was numerically a little superior to that possessed by the enemy but far inferior in discipline and equipment, Colonel Williamson occupied a position twelve hundred yards distant from the British works and there fortified his camp. It is believed that the exaggerated accounts of the American strength conveyed to Colonel Brown deterred him from making an attack which would probably have eventuated in success.

For nearly four weeks had the republicans been sitting down before Augusta, guarding all approaches to the town, confining its garrison within their defenses, and eagerly expecting reinforcements from General Greene's army preparatory to a general assault upon the British works. Wearied with the service, and despairing of the anticipated aid, the militia were on the eve of

withdrawing when Major Jackson — as eloquent of speech as he was daring in war — by a patriotic address inflamed their ardor and changed their purpose. The arrival of Colonel Clarke and one hundred men on the 15th of May restored confidence and confirmed the resolution to prosecute the enterprise to a successful issue.

Major Dill had collected a band of loyalists with the intention of reinforcing Brown and compelling the Americans to raise the siege. Without waiting for his approach, Colonel Clarke dispatched Captains Shelby and Carr, with a strong party, who fell upon him at Walker's bridge on Brier Creek, killing and wounding a number of his men and dispersing the rest.

Entertaining no apprehension of an attack from the enemy, Colonel Clarke sent his cavalry horses under a guard of six men, to Beech Island that they might be plentifully supplied with forage. Learning this fact, Colonel Brown detailed a force of regulars, militia, and Indians to proceed down the Savannah River in canoes to cut off the guard and capture the animals. In this mission they succeeded. Every man of the guard was slain. While returning with the horses, they were attacked by Captains Shelby and Carr, near Mrs. Bugg's plantation, and entirely routed. Not one of the enemy falling into the hands of the Americans was permitted to live. Nearly half the detachment was killed. All the horses were recovered.[1]

Unfurnished with artillery Colonel Clarke picked up an old four-pounder which had been abandoned by the British, mounted it, and employed a blacksmith to forge projectiles for it. This little piece was placed in battery about four hundred yards from Fort Grierson. So limited was the supply of ammunition that it was fired only on occasions the most favorable.

General Pickens with four hundred men was operating between Augusta and Ninety-Six to cut off all communication between those posts. Eastward of Ninety-Six Colonels Branham and Hayes were recruiting their commands and intercepting supplies intended for the relief of that station. While thus engaged Colonel Hayes, who then had with him forty-five men, was suddenly attacked by Major Cunningham. Taking refuge in a house Hayes defended himself until further resistance appeared useless. He then surrendered upon condition that his men should be recognized and treated as prisoners of war. No sooner had they laid down their arms than they were assaulted and mur-

[1] See McCall's *History of Georgia*, vol. ii. p. 368. Savannah. 1816.

dered to a man. Behold the temper and the faith of the loyalists!

The investing force of the Americans was somewhat enfeebled at Augusta by a detail sent into the upper portion of Georgia and South Carolina to drive back some Indians and loyal refugees who were committing depredations upon the frontier.

Such was the posture of affairs, and such were the events which transpired in the vicinity of Augusta just prior to the advent of General Pickens and Lieutenant-Colonel Lee. Fort Motte had fallen. So had Fort Granby. Within less than a month General Greene compelled Lord Rawdon to evacuate Camden, and forced the submission of the adjacent British posts. He was now moving forward for the close investment of Ninety-Six. The capture of Augusta was determined upon, so that by one continuous and decisive campaign the deliverance of the States of Carolina and Georgia from the domination of the king's forces might be thoroughly compassed, save in the cases of Charlestown and Savannah which could not, at the time, be readily assailed because the enemy ruled at sea. Meanwhile Colonel Cruger was busily engaged in strengthening his defenses at Ninety-Six, and was resolved to hold his post to the last extremity.

General Pickens and Lieutenant-Colonel Lee were ordered to repair with their commands to Augusta and reduce that town. The latter officer, having narrowly observed the operations of the enemy at Ninety-Six and reported fully the condition of affairs to General Greene, took up his line of march across the country for Augusta. On the third day he arrived in its vicinity. He had been preceded by Captain Ferdinand O'Neale, who, with a party of light horse, was detached to collect provisions and acquire all information which might facilitate the consummation of the military operation immediately in hand. By this officer Colonel Lee was advised of the arrival at Fort Galphin of the annual royal present intended for the Indians. It consisted of powder, ball, small arms, liquor, salt, blankets, and other articles which were sadly needed in the American camp. For the protection of these valuable supplies two companies of infantry had been detailed by Colonel Brown from his command at Augusta, and they were, at the moment, garrisoning Fort Galphin. With a view to the possession of these coveted articles, and that Brown's force might be permanently weakened by the capture of these two companies, Colonel Lee resolved upon the immediate reduction of the fort at Silver Bluff. Of his proximity to Augusta

the enemy seems not to have been aware. His movements had evidently been rapid and well concealed. Quick action was imperatively demanded. Leaving Eaton with his battalion, the artillery and the exhausted men of the legion to follow on more leisurely, and mounting a detachment of infantry behind his dragoons, Colonel Lee pressed on by a forced march toward Fort Galphin.

This work, situated on the left bank of the Savannah River about fifteen miles below Augusta, consisted of the substantial brick residence erected by George Galphin, the famous Indian trader, surrounded by a stockade. Dreadnaught the English called it, and the bold bluff near which it stood had long been known as Silver Bluff.

The morning of the 21st of May, 1781, was sultry beyond measure. For miles not a drop of water had been found to quench the violent thirst of trooper and horse. Men and animals were sorely oppressed as they halted beneath the pines which skirted the field surrounding the fort. Ignorant of the approach of Colonel Lee and his command, the enemy was resting quietly within the stockade. The fierce rays of the sun smote everything with a blinding and paralyzing influence which forbade all exertion not imperatively demanded. But the prize was at hand and moments were precious. Pausing but a little while for his command to recover breath, Colonel Lee dismounted such militiamen as accompanied the expedition and ordered them to demonstrate against the fort from a direction opposite to that then occupied by him. Confidently conjecturing that the garrison, upon the appearance of the militia, would speedily issue from the stockade and resist the threatened attack, Colonel Lee resolved to seize upon the instant and, by a rapid assault, capture the post when thus bereft of its defenders. To that end Captain Rudolph (whom an ill-defined tradition identifies as the famous Marshal Ney in disguise), with such infantry as was capable of quick action, was held in readiness at the opportune moment to rush upon the fort. The remaining foot-soldiers, supported by a troop of dragoons, took a position whence the militia could be surely and readily shielded, in their retreat, from any injury which the pursuing garrison might seek to inflict. Such was the strategy devised by the accomplished Light Horse Harry. Most successfully was it consummated.

As had been anticipated, at sight of the demonstrating militiamen the garrison flew to arms and, rushing from the fort, ad-

vanced to repel the threatened attack. After a show of resistance the militia retreat, drawing the garrison after them in hot pursuit. Just then Captain Rudolph with his detachment sweeps rapidly across the field and envelops the stockade. The resistance offered by the few defenders remaining within is feeble and is speedily crushed. The dragoons, foot-soldiers, and rallying militia close in upon the enemy in the field, and quick surrender follows. The Americans lost but one man during the engagement, and he perished from excessive heat. Only three or four of the enemy fell in the affair. The capture of the entire garrison, and the possession of the valuable stores concentrated within the stockade, proved a rich reward for the toil and suffering involved in the adventure. The entire affair, its conception, the strategy employed, and its consummation were alike creditable to the young Virginian and his brave followers.

But a few short hours did Colonel Lee tarry with his command at Fort Galphin. Suitable provisions having been made for securing the fruits of his dashing triumph, he hastened on to join Pickens and Clarke and to participate in those operations which eventuated in the surrender of Brown at Augusta.

Compared with many other engagements which occurred within the confines of the Carolinas and of Georgia during our eight years' struggle for independence, this capture of Fort Galphin will perhaps be reckoned as the small dust of the balance, and yet it was not devoid of significance or lacking in important consequences. It supplied a needy army with stores which it sadly craved. It weakened the royal forces in Augusta and conduced most materially to the capitulation of that town. It inspired the Revolutionists with fresh courage, and nerved their arms for further exhibitions of valorous emprise.

Major Eaton, meanwhile, with the rest of the legion formed a junction with General Pickens at the Cherokee ponds, six miles from Augusta. Together they moved forward and united with the forces engaged in the investment of that town. Having rested his infantry, Colonel Lee dispatched Major Eggleston at the head of his cavalry to cross the Savannah River at Wallicon's ferry,[1] three miles below Augusta, and to coöperate with Pickens and Clarke. That officer's instructions were to make himself thoroughly acquainted with the situation of the enemy, as his commanding officer desired definite information upon which he could promptly act upon arrival. He was further enjoined, without de-

[1] Now known as the *Sand-bar* ferry.

lay, to send in a flag communicating the fact of the near approach of a portion of General Greene's army, informing Colonel Brown that Ninety-Six was closely invested by the main body led by the commanding general, and urging the propriety of an immediate surrender. Brown had previously refused to receive flags coming from, or to hold any communications with, militia officers. Eggleston being the senior continental officer there present, Colonel Lee, in view of all the circumstances, deemed it best that he should be deputed to attempt this negotiation. Colonel Brown treated the flag with contempt, refused to answer the dispatch, and forbade a renewal of the interview.[1]

Colonel Lee arrived during the evening of the 21st, and took post with Pickens and Clarke in the woods bordering Augusta on the west. This town was then small, containing only a few hundred inhabitants. At a short remove from the habitations, the valley in which Augusta was situated was covered with dense woods, with cleared fields here and there. Cornwallis, the principal fort occupied by the enemy, was situated in the northerly portion of the central part of the town, having complete command of Savannah River and the adjacent territory.

In after years the ground upon which it stood was set apart for holier uses. Here was erected a temple dedicated to the worship of the God of Peace, and St. Paul's Church, of blessed memory, now proclaims its message of salvation where formerly thundered the malignant guns of this war-begrimed fort.

Half a mile to the west the plain was then interrupted by a lagune or swamp which connected Beaver Dam Creek with the Savannah River.[2] On the northwestern border of this lagune, and near its confluence with the Savannah, a second fort[3] was located, called Grierson in honor of the loyalist colonel who commanded its garrison. British regulars were stationed in Fort Cornwallis, while the tenure of Grierson was confided to militia.

Colonel Lee confesses that he was "considerably ruffled" at the contemptuous treatment which Major Eggleston received, and that his determination was to enter into no communication with the British commander until it was solicited by himself.

[1] See Lee's *Memoirs of the War in the Southern Department*, etc., vol. ii. p. 92. Philadelphia. 1812. McCall's *History of Georgia*, vol. ii. p. 372. Savannah. 1816.

[2] The trend of this lagune, commencing at the Beaver Dam, was generally along the present line of *Cumming* Street. Before reaching *Broad* Street it turned westwardly into what is now called *Kollock* Street, and followed the direction of that street to the Savannah River. It was known as *Campbell's Gut.*

[3] The site of this fort is now occupied, or very nearly so, by the *Riverside Mills.*

After a careful consideration of the situation it was resolved to drive Grierson out of his fort and either capture or destroy him in his retreat upon Cornwallis. To this end arrangements were speedily made. General Pickens and Colonel Clarke, with the militia, were to attack from the north and west. Major Eaton, with his battalion, was to approach the fort from the south and coöperate with the militia, while Colonel Lee, with the infantry and artillery, moving southeast of the lagune and parallel with Eaton, was to hold himself in readiness either to support his attack, if required, or to attend to the movements of Brown should he quit his defenses and interpose for the salvation of Grierson. Major Jackson with his Georgia militia was to accompany and act under the orders of Major Eaton. The cavalry under Eggleston were ordered to draw near to Fort Cornwallis, keeping under cover of the wood and prepared to fall upon Brown's rear should he advance against Lee. Promptly did the commands respond to the duties to which they were respectively assigned.

Most vigorous were the attacks by Pickens and Eaton. Lee's movement being open to view, Brown, withdrawing his garrison and leading out two field-pieces, advanced as though he purposed delivering battle in aid of Grierson. Upon second thought deeming it too hazardous to persevere in this attempt, he checked his forward movement and confined his interposition to a cannonade which was returned by Lee, little effect being produced on either side. Finding his resistance fruitless, Grierson determined to evacuate his fort and escape with his command to Fort Cornwallis. Throwing open the gate the garrison rushed down the lagune to the river bank and under its cover endeavored to make their way to Cornwallis. In the perilous attempt thirty were killed and forty-five wounded and captured. Comparatively few succeeded in escaping. The major of the garrison was killed and the lieutenant-colonel captured. After surrendering, Colonel Grierson himself was shot to death by a Georgia rifleman. So cruel had been his practices, and so odious was his character, that the troops could not be restrained from inflicting this summary punishment, wholly unjustified as it was by the rules of civilized warfare. Although a reward was offered by the American commanders for the naming and apprehension of the party by whom the deed had been committed, no disclosure occurred. Captain McCall[1] intimates that he was

[1] *History of Georgia*, vol. ii. p. 374. Savannah. 1816.

shot by one of the sons of the venerable Mr. Alexander in revenge for the indignities heaped upon that aged patriot. Doubtless it was well known in the army whose hand pulled the fatal trigger; but, as the information was not officially brought to the attention of the commander, no notice was taken of the affair beyond the vain offer of the reward to which allusion has been made. "The militia of Georgia under Colonel Clarke," says the author of 'Memoirs of the War in the Southern Department of the United States,' "were so exasperated by the cruelties mutually inflicted in the course of the war in this State that they were disposed to have sacrificed every man taken, and with great difficulty was this disposition now suppressed. Poor Grierson and several others had been killed after surrender, and although the American commandants used every exertion and offered a large reward to detect the murderers, no discovery could be made. In no part of the South was the war conducted with such asperity as in this quarter. It often sunk into barbarity."

Although the American loss was trivial, it involved the death of Major Eaton of North Carolina, an excellent and beloved officer, who "fell gallantly at the head of his battalion in the moment of victory."

Perceiving that he had to deal with officers skilled in the art of war, and that the investing force was bent upon his capture, Colonel Brown expended every energy in adding to the security of his position. With fiendish malignity he placed in the bastion of his fort most exposed to the fire of the American rifles the aged Alexander and other prisoners who had long pined in captivity. Among the companies closely investing Cornwallis was one commanded by Captain Samuel Alexander. It was a hellish deed, this subjecting a parent to the chances of death at the hand of a devoted son.

Nothing now remained for the Americans but, by regular approaches, to compel a surrender. Accordingly the troops were set to work with all the tools which could be collected from neighboring plantations, and with such as had been captured at Fort Galphin. Fort Cornwallis being near the Savannah River, and the bank of that stream affording additional protection to the enemy, it was resolved to break ground in that quarter and to extend the works of the besiegers towards the left and rear of the fort. Brigadier-General Pickens, with the militia, took post in the woods on the British left, while Lieutenant-Colonel Lee

with his corps established himself in a large brick building, the mansion-house of a gentleman [1] who had joined the enemy, situated just south of the confluence of the lagune with the Savannah River.

The condition of the wounded prisoners required medical stores and attention which could not be supplied in the American camp. Privilege was asked to apply to Colonel Brown for this needed assistance. Pickens and Lee answered "that after the ungracious determination to stop all intercourse announced by the commandant of Fort Cornwallis, disposed as they were to obey the dictates of humanity, it could not be expected that any consideration would prevail with them again to expose the American flag to contumely." To the captive officer who preferred the request permission was granted to wait upon Colonel Brown, with the pledge that he would immediately return so soon as his reply was had. A letter was prepared expressing the regret with which the American commanders allowed a flag to pass from their camp, though borne by a British officer, after the treatment experienced on a recent occasion, and assuring the commandant of Fort Cornwallis "that no consideration affecting themselves or their troops would ever have led to such a condescension." To this letter Brown returned a polite response, offering excuses for his former conduct.

Although the American works progressed with commendable rapidity and began to assume formidable proportions, so level was the ground that it was found to be a very difficult matter to secure a platform sufficiently elevated to render the only reliable field-piece in camp effective in casting its projectiles within the fort. Under the circumstances it was deemed proper to construct a "Mayham tower," which had proved so valuable in the reduction of Fort Watson. Orders were issued for cutting and transporting the necessary timber.

While Colonel Brown had up to this point patiently contemplated the American approaches, the heaps of fresh earth seen day by day within the fort indicated that he had been busily engaged in some counter operations. On the 28th, at midnight, he fell with great vigor upon the American works in the river quarter and drove out the guard. It was only after a severe conflict, in which Captain Handy, commanding the support, played a conspicuous part, that the trenches were regained and the enemy forced to seek shelter in the fort. This vehement

[1] Probably Mr. Edward F. Campbell.

attempt to destroy the approaches induced Colonel Lee to detail his infantry for their protection during the night-time. To this special service were they assigned, being relieved from all other duty. "On the succeeding night Brown renewed his attempt in the same quarter, and, for a long time, the struggle was continued with mutual pertinacity till at length Captain Rudolph, by a combined charge with the bayonet, cleared the trenches, driving the enemy with loss into his stronghold."

During the night of the 30th, and on the ensuing day, the tower was raised nearly on a level with the parapet of the fort. Its interior was filled with fascines, earth, stone, brick, and every available material calculated to impart strength and solidity to the structure. "At the same time the adjacent works in rear of the fort were vigorously pushed to the enemy's left to connect them with the tower which was the point of their termination."

Perceiving the danger which threatened, Brown resolved to destroy this tower. In anticipation of the execution of such a purpose the lines in that quarter were doubly manned, and Handy's infantry was conveniently posted in support. Captains Handy and Rudolph were placed in charge of the lines, and a company, armed with muskets, was detailed for the protection of the tower. Before midnight, on the 31st of May, the British commander, with the strength of his garrison, made a desperate sortie against the American works, which, although it entailed considerable loss, was eventually repulsed. Foiled in his efforts, he resorted to the construction of an elevated platform in the angle of his fort just opposite the "Mayham tower." Upon it two of his heaviest pieces of ordnance were mounted. With these he opened fire upon the tower. Regardless of this annoyance, the builders continued their labors. On the 1st of June the tower was completed, an embrasure cut, and the six-pounder gun lifted into position. From its elevated platform this gun speedily dismounted the two pieces in the fort, raked its interior, and commanded it entirely, with the exception of the segment nearest the tower and a few points sheltered by traverses. Wishing to shun needless slaughter, and confident that their operations would speedily eventuate in the reduction of Fort Cornwallis, General Pickens and Colonel Lee, on the 31st of May, sent a flag to Colonel Brown covering this communication: —

"Sir, — The usage of war renders it necessary that we present

you with an opportunity of avoiding the destruction which impends your garrison.

"We have deferred our summons to this late date to preclude the necessity of much correspondence on the occasion. You see the strength of the invading forces, the progress of our works: and you may inform yourself of the situation of the two armies by inquiries from Captain Armstrong of the Legion who has the honour to bear this."

Colonel Brown's response was characteristic of the man: —

"GENTLEMEN, — What progress you have made in your works I am no stranger to. It is my duty and inclination to defend this place to the last extremity."

Balked in his attempts to destroy the "Mayham tower" by force of arms, Brown resorted to the following stratagem. During the night of the 1st of June a wily Scotchman, a sergeant of artillery, made his appearance in the American camp in the character of a deserter from Fort Cornwallis. Brought before General Pickens and Colonel Lee, and being interrogated with regard to the effect produced by the six-pounder gun and as to the situation of the enemy, he answered that the erection of the tower gave an advantage which, if properly improved, would not fail in forcing a surrender, but that the garrison had not suffered as much as might have been expected. He added that it was amply supplied with provisions and that it was in high spirits. "In the course of the conversation which followed," says Colonel Lee, "I inquired in what way could the effect of the cannonade be increased? Very readily, replied the crafty sergeant: that knowing the spot where all the powder in the fort was deposited, with red hot balls from the six-pounder, directed properly, the magazine might be blown up. This intelligence was received with delight, and the suggestion of the sergeant seized with avidity, although it would be very difficult to prepare our ball as we were unprovided with a furnace. It was proposed to the sergeant that he should be sent to the officer commanding our battery and give his aid to the execution of his suggestion, with assurances of liberal reward in case of success. This proposition was heard with much apparent reluctance, although every disposition to bring the garrison to submission was exhibited by the sergeant who pretended that Brown had done him many personal injuries in the course of service. But, he added, it was impossible for him to put himself in danger of capture, as he well knew he should be executed on a gibbet if taken.

"A good supper was now presented to him with his grog: which, being finished, and being convinced by the arguments of Lee that his personal safety could not be endangered as it was not desired or meant that he should take any part in the siege, but merely to attend at the tower to direct the pointing of the piece, he assented, declaring that he entered upon his task with dire apprehensions, and reminding the lieutenant colonel of his promised reward. Lee instantly put him in care of his adjutant to be delivered to Captain Finley, with the information communicated, for the purpose of blowing up the enemy's magazine.

"It was midnight, and Lieutenant Colonel Lee expecting on the next day to be much engaged, — our preparations being nearly completed, — retired to rest. Reflecting upon what had passed, and recurring to the character of his adversary, he became much disquieted by the step he had taken, and soon concluded to withdraw the sergeant from the tower. He had not been many minutes with Captain Finley before an order remanding him was delivered, committing him to the quarter guard." [1]

Fortunate was it that this pretended deserter was quickly placed in confinement. It subsequently transpired that he had been sent out by Colonel Brown for the express purpose of destroying by fire the Mayham tower. Colonel Lee at first was entirely deceived by him, and unwittingly issued an order which exactly coincided with the scheme of the sergeant and afforded him a favorable opportunity of fulfilling his mission.

On the morning of the 2d of June the besiegers were saluted with another exhibition of the activity and strategy of the British commander which came very near inflicting frightful loss. Between the quarters of Colonel Lee and the fort stood four or five deserted houses, some of them so near the latter that they would afford convenient shelter to riflemen delivering their fire from the upper stories. They had been suffered to remain because Pickens and Lee hoped to utilize them upon the final assault for which preparations were being made. Sallying out just before the break of day, Colonel Brown burned all of these dwellings save the two nearest the fort. Why these were spared many were at a loss to conjecture. The reason became manifest at a later stage of the operations.

Still desirous of compassing a surrender without resorting to an assault, General Pickens and Colonel Lee, on the 3d of June, repeated their summons in the following language: —

[1] Lee's *Memoirs of the War in the Southern Department of the United States*, vol. ii. pp. 105–107. Philadelphia. 1812.

"Sir, — It is not our disposition to press the unfortunate. To prevent the effusion of blood, which must follow perseverance in your fruitless resistance, we inform you we are willing, though in the grasp of victory, to grant such terms as a comparative view of our respective situations can warrant.

"Your determination will be considered as conclusive, and will regulate our conduct."

Still unyielding, and with characteristic boldness courting the chances of the future, Brown responded: —

"Fort Cornwallis, *June* 3, 1781.

"Gentlemen, — I have the honour to acknowledge the receipt of your summons of this day, and to assure you that, as it is my duty, it is likewise my inclination, to defend this post to the last extremity."

The fire of the six-pounder gun was mainly directed against the parapet of the fort fronting on the river. Toward that quarter it was proposed that the main attack should be launched. Orders were issued for a general assault at nine o'clock on the morning of the 4th. During the night of the 3d the best marksmen from Pickens' militia were sent to the house nearest the fort. The officer in command was instructed to arrange his men in the upper story so as to ascertain how many of them could be used to advantage, and then to withdraw and report to the commanding general. It was intended that this structure should be occupied by the same officer with such a force of riflemen as he should declare to be sufficient. To Handy's Marylanders and the infantry of the legion was the main assault from the river quarter entrusted. Due preparation having been made, the troops remained in their stations, "pleased that the time was near which would close with success their severe toils."

"About three in the morning of the 4th of June," says Colonel Lee,[1] "we were aroused by a violent explosion which was soon discovered to have shattered the very house intended to be occupied by the rifle party before daybreak. It was severed and thrown into the air thirty or forty feet high; its fragments falling all over the field. This explained at once not only the cause of Brown's omitting its destruction, but also communicated the object of the constant digging which had, until lately, employed the besieged.

"Brown pushed a sap to this house which he presumed would

[1] *Memoirs of the War in the Southern Department of the United States*, vol. ii. p. 109. Philadelphia. 1812.

be certainly possessed by the besieger when ready to strike his last blow: and he concluded, from the evident maturity of our works and from the noise made by the militia when sent to the house in the first part of the night for the purpose of ascertaining the number competent to its capacity, that the approaching morning was fixed for the general assault. Not doubting but the house was occupied with the body destined to hold it, he determined to deprive his adversary of every aid from this quarter: hoping too, by the consternation which the manner of destruction could not fail to excite, to damp the ardor of the troops charged with storming."

It was indeed a narrow escape. Even in his extremity Brown was fruitful in resources. His resolution never forsook him, and his blows were vigorous to the last.

As the army was waiting the signal for the assault, the American commanders, moved by the perilous situation of the captives, who had long been held in confinement within the fort, made this appeal to its commanding officer: —

"HEADQUARTERS, *June* 4, 1781.

"SIR, — We beg leave to propose that the prisoners in your possession may be sent out of the fort, and that they may be considered yours or ours as the siege may terminate.

"Confident that you cannot refuse this dictate of humanity and custom of war, we have only to say that any request from you of a similar nature will meet with our assent."

It was urged in vain, as the following response testifies: —

"GENTLEMEN, — Though motives of humanity, and a feeling for the distresses of individuals, incline me to accede to what you have proposed concerning the prisoners with us, yet many reasons to which you cannot be strangers forbid my complying with this requisition.

"Such attention as I can show, consistently with good policy and my duty, shall be shown to them."

Before an advance was ordered, an officer with a flag was seen approaching from Fort Cornwallis. He bore this message from Colonel Brown to General Pickens and Colonel Lee: —

"GENTLEMEN, — In your summons of the 3d instant, no particular conditions were specified: I postponed the consideration of it to this day.

"From a desire to lessen the distresses of war to individuals, I am inclined to propose to you my acceptance of the inclosed terms, which, being pretty similar to those granted to the com-

manding officers of the American troops and garrison in Charlestown, I imagine will be honourable to both parties."

It being now manifest that a surrender would be compassed without a final appeal to arms, operations were suspended for the day, and the commanding officers turned their attention to negotiations which culminated on the following morning in the proposal and acceptance of these articles of capitulation : —

"ARTICLE I. That all acts of hostilities and works shall cease between the besiegers and besieged until the articles of capitulation shall be agreed on, signed, and executed, or collectively rejected.

"*Answer.* Hostilities shall cease for one hour; other operations to continue.

"ARTICLE II. That the fort shall be surrendered to the commanding officer of the American troops such as it now stands. That the King's troops, three days after signing the articles of capitulation, shall be conducted to Savannah with their baggage, where they will remain prisoners of war until they are exchanged: that proper conveyances shall be provided by the commanding officer of the American troops for that purpose, together with a sufficient quantity of good and wholesome provisions till their arrival in Savannah.

"*Answer.* Inadmissible. The prisoners to surrender field prisoners of war. The officers to be indulged with their paroles: the soldiers to be conducted to such place as the commander-in-chief shall direct.

"ARTICLE III. The militia now in garrison shall be permitted to return to their respective homes, and be secured in their persons and properties.

"*Answer.* Answered by the second article, the militia making part of the garrison.

"ARTICLE IV. The sick and wounded shall be under the care of their own surgeons, and be supplied with such medicines and necessaries as are allowed in the British hospitals.

"*Answer.* Agreed.

"ARTICLE V. The officers of the garrison, and citizens who have borne arms during the siege, shall keep their side arms, pistols, and baggage which shall not be searched, and retain their servants.

"*Answer.* The officers and citizens who have borne arms during the siege shall be permitted their side arms, private baggage and servants; their side arms not to be worn, and the baggage to be searched by a person appointed for that purpose.

"ARTICLE VI. The garrison at an hour appointed shall march out, with shouldered arms and drums beating, to a place to be agreed on where they will pile their arms.

"*Answer.* Agreed. The judicious and gallant defence made by the garrison entitles them to every mark of military respect. The fort to be delivered up to Captain Rudolph at twelve o'clock, who will take possession with a detachment of the Legion infantry.

"ARTICLE VII. That the citizens shall be protected in their persons and properties.

"*Answer.* Inadmissible.

"ARTICLE VIII. That twelve months shall be allowed to all such as do not choose to reside in this country, to dispose of their effects, real and personal, in this Province, without any molestation whatever, or to remove to any part thereof as they may choose, as well themselves as families.

"*Answer.* Inadmissible.

"ARTICLE IX. That the Indian families now in garrison shall accompany the King's troops to Savannah, where they will remain prisoners of war until exchanged for an equal number of prisoners in the Creek or Cherokee nations.

"*Answer.* Answered in the second article.

"ARTICLE X. That an express be permitted to go to Savannah with the commanding officer's dispatches, which are not to be opened.

"*Answer.* Agreed.

"ARTICLE XI. (Additional.) The particular attention of Colonel Brown is expected towards the just delivery of all public stores, moneys, &c., and that no loans be permitted to defeat the spirit of this article.

"Signed at Headquarters, Augusta, June 5th, 1781, by

ANDREW PICKENS, *B. G. Mil.*
HENRY LEE, Junr, *Lieut. Col. com.*
THOMAS BROWN,
Lieut. Col. commanding King's troops at Augusta."[1]

The postponement of the surrender until the 5th was very gratifying to Colonel Brown, as the 4th was the anniversary of the birthday of the king.

[1] See Ramsay's *History of the Revolution of South Carolina*, vol. ii. p. 497. Trenton. MDCCLXXXV. Tarleton's *History of the Campaigns of* 1780 *and* 1781, etc., p. 493. London. MDCCLXXXVII. Lee's *Memoirs of the War in the Southern Department of the United States*, vol. ii. p. 115. Philadelphia. 1812.

For some time prior to this capitulation, so destructive was the fire maintained by the Americans, especially from the six-pounder gun mounted in the "Mayham tower" which searched almost every part of the fort, that the besieged were compelled to dig holes in the earth for their protection. Any exposure of the person during the day involved almost certain death.[1] At eight o'clock on the morning of the 5th the British garrison, some three hundred strong, marched out of Fort Cornwallis and Major Rudolph took possession of it. Captain Armstrong of the dragoons, with a safeguard, was detailed to protect Colonel Brown from the threatened violence of the militia who, justly incensed at his many bloody deeds and acts of tyranny, eagerly sought his life. Young McKay, whose brother had been inhumanly put to death by Brown at Wiggin's Hill, watched an opportunity to shoot the British commander. He was conducted to Colonel Lee's quarters where he remained until the next day, when he and a few of his officers were paroled and sent down the river to Savannah under the charge of Captain Armstrong and a party of infantry instructed to guard him until he was beyond the reach of danger. At Silver Bluff he was recognized by Mrs. McKay who accosted him thus: "Colonel Brown, in the late day of your prosperity I visited your camp and on my knees supplicated for the life of my son, but you were deaf to my entreaties. You hanged him, though a beardless youth, before my face. These eyes have seen him scalped by the savages under your immediate command, and for no better reason than that his name was McKay. As you are now prisoner to the leaders of my country, for the present I lay aside all thoughts of revenge: but when you resume your sword I will go five hundred miles to demand satisfaction at the point of it for the murder of my son."[2]

The loss sustained by the British was fifty-two killed and three hundred and thirty-four wounded and captured. Sixteen of the Americans were slain and thirty-five wounded.

Shortly after the capitulation General Pickens and Colonel Lee, with the prisoners, crossed the Savannah River and joined General Greene, who was still conducting the investment of Ninety-Six. Heartily welcomed were these officers and their commands. To them was General Greene pleased to express in

[1] See Ramsay's *History of the Revolution of South Carolina*, vol. ii. p. 239. Trenton. MDCCLXXXV.

[2] Ramsay's *History of the Revolution of South Carolina*, vol. ii. p. 240. Trenton. MDCCLXXXV.

general orders "the high sense he entertained of their merit and service." His thanks were also publicly rendered for the "zeal and vigor exhibited in the execution of the duty assigned to them."

To Major James Jackson, whose early exertions paved the way for the final reduction of the post, was the command of Augusta entrusted. Here he remained, with occasional absences on important enterprises, until the assembling of the legislature in August, 1781, when Dr. Nathan Brownson was elected governor and Colonel John Twiggs, in consideration of his long and meritorious services, was complimented with the commission of brigadier-general.[1] Meanwhile, acting under authority conferred by General Greene, he had raised a partisan legion in command of which he continued until the close of the war.

Among the stores in Fort Cornwallis, subject to distribution among the captors, was a quantity of Indian goods. It being found impracticable to divide them out without encumbering too much the troops still engaged in active service, that portion falling to the lot of the Georgians was placed in the hands of John Burnet, with directions to transport these goods to some safe place in the western part of the State where they were to be kept until a suitable opportunity arose for their equitable distribution. Burnet always professed an ardent attachment to the American cause. Under pretense of harassing the loyalists in the low country, he had recently, with some followers, visited some of the wealthy settlements south of Savannah and indiscriminately robbed friends and foes of their slaves and personal property. He then held in the vicinity of Augusta some sixty negroes whom he had thus captured. Professing that he had taken them from loyalists, and offering to throw them into hotchpot with the goods so that a more generous dividend might be declared to Georgia soldiers who, during the war, had borne heavy burthens and sustained grievous losses, he so won the confidence of officers and men that the booty was delivered into his custody. Undertaking to remove it beyond all possible recaption by the enemy, he journeyed towards the mountains of Upper Georgia. Once fairly out of reach, he disclosed to his companions his design of quitting the country and appropriating this spoil. Sympathizing in the rascally purpose, they assisted him in making his way to the Ohio River where, procuring boats, they passed down to Natchez and there divided the stolen prop-

[1] See Charlton's *Life of Jackson*, Part I. p. 34. Augusta. 1809.

erty.[1] Thus were the Georgia troops who participated in the reduction of Augusta defrauded out of their share of the booty.

The capture of Augusta, while it raised the spirits of the republicans to a high pitch of exultation and encouraged the faint-hearted to emerge from their hiding-places and stand up like men in the ranks of the Revolutionists, exerted a most depressing influence upon the minds and hopes of the king's servants. Governor Wright, at Savannah, called so lustily for aid that Lord Rawdon, weak as he was, was persuaded to part with the king's American regiment and send it from Charlestown, in small craft and without convoy, to the relief of that royal governor.[2] In this wise did he give expression to his distresses and apprehensions: "It gives me the greatest concern to acquaint you of the loss of Augusta by Colonel Brown being reduced to the necessity of capitulating, and as you well know the consequences that must be attendant on this I need say little, but must observe that if this Province is not recovered from the Rebels without the least delay I conceive it may be too late to prevent the whole from being laid waste and totally destroyed and the people ruined. We are now in a most wretched situation. I shall not reflect on the causes, but the grand point is to recover back what we have lost, if it be possible, and to prevent further misfortunes and injury to his Majesty's service. . . .

"Our distresses are many, and how to furnish the militia on actual duty with rations I can't tell, for there is not a single barrel of beef or pork to be purchased here, even if I had the *money* to buy it. I trust therefore, Sir, that circumstanced as we are you will think it for his Majesty's service and really necessary to order some of the King's provisions here for the support of the militia on actual service, the number of which, I think, will be at least what is mentioned in the Minute of Council, besides those in and about town which, I suppose, amount to 300."[3]

[1] See McCall's *History of Georgia*, vol. ii. p. 380. Savannah. 1816.

[2] Tarleton's *Campaigns of* 1780 *and* 1781, etc., p. 486. London. MDCCLXXVII.

[3] *Letter to Lieutenant-Colonel Balfour*, dated Savannah, 11th of June, 1781. P. R. O., Am. & W. Ind., vol. ccxcviii.

CHAPTER XXVI.

General Twiggs orders an Advance for the Repossession of the Middle and Southern Divisions of Georgia. — Nefarious Plot in Jackson's Legion. — Davis complimented by the Legislature. — Naval Exploits on the Georgia Coast. — Captains Howell, McCleur, Antony, and Braddock. — Jackson's Operations near Great Ogeechee Ferry. — Scarcity of Provisions. — General Twiggs repulses the Indians. — Murder of Myrick Davies. — Twiggs threatens Savannah. — Pickens invades the Cherokee Territory. — State Certificates issued upon the Faith of Confiscated Property. — Effect of Cornwallis' Surrender. — General Greene prepares for the Relief of Georgia. — His Letter of Advice to Governor Martin. — General Wayne detailed to recover Georgia. — Proclamations of Governor Martin. — British Forces in Savannah. — The Town narrowly watched. — Wayne's Activity highly commended. — Seat of Government advanced to Ebenezer. — Conduct of Colonel James Jackson. — Ferocity of the Enemy. — Major John Habersham's Mission. — Poverty of Georgia. — Affair between Jackson and Captains Ingram and Corker. — Wayne advances to support Jackson. — Brown Escapes. — Guristersigo defeated by Wayne.

The upper portion of Georgia being now under the control of the republicans, General Twiggs directed his attention to the repossession of the middle and southern divisions. To this end he ordered Lieutenant-Colonel James Jackson to move with his Georgia legion, consisting of three companies of cavalry and two of infantry, in the direction of Savannah, and to occupy positions as near the enemy as becoming caution would suggest. His general instructions were to annoy the outposts and detachments of his antagonist as fully as the means at command would allow, and to retreat or advance as the circumstances of the case might justify.

Jackson's legion was composed in part of British deserters and loyalists, who, professing a change of political sentiments, had quitted the service of the king. Dangerous and untrustworthy was this element, requiring for its efficient control strict discipline and tireless vigilance. Not long prior to the receipt of these orders, and while Colonel Jackson was still in command at Augusta, a nefarious plot was discovered which had been formed

by a portion of his legion. The scheme was to assassinate the commanding officer in an unguarded moment, and, seizing the governor and as many members of the executive council as were present in the town, to carry them off to the British authorities in Savannah. This plan was quietly communicated to General Alured Clarke, commanding at Savannah. He cordially sympathized in it, and, as a substantial proof of his approval, ordered Captain Brantley, with forty-five men, to proceed cautiously to the outskirts of Augusta, join the conspirators under cover of night, and coöperate with them in the execution of the nefarious project. Liberal rewards were also offered by him as a stimulus to the perpetration of the crime. The manner in which this iniquitous design was frustrated is thus told by Captain McCall:[1] "A faithful soldier, named David Davis, who was the Colonel's waiter, discovered that there was something in agitation of an extraordinary nature in the camp, and in order to obtain a knowledge of the secret affected an extreme dislike to the Colonel and united with the conspirators in the use of the most unqualified language of abuse and disrespect for him. Supposing that Davis' situation would enable him to be of great service to the party, they lent a favourable ear to his observations. This stratagem had the desired effect and drew from the traitors a disclosure of the diabolical purposes in contemplation which he immediately communicated to his Colonel, and informed him that no time was to be lost in checking its progress, as it was ripe for execution. The dragoons who did not appear to have been engaged in the conspiracy were ordered to mount their horses and repair to Colonel Jackson's quarters, prepared for action. The infantry were ordered to parade without arms, under pretence of searching for some clothing which had been stolen the preceding night. The dragoons were ordered in front with drawn swords, and the ring leaders were seized and confined. A general court martial was ordered to convene, and the culprits were brought up for trial. John Goodgame, William Simmons, and one Honeycut were ascertained to be the projectors and leaders in the conspiracy. The court found them guilty of treason and sentenced them to suffer death by being hanged, and they were executed accordingly. The remaining seventeen turned State's evidence, confessed their guilt, and were pardoned in consequence of their apparent penitence."

Thus narrowly did a gallant officer escape assassination. Thus,

[1] *History of Georgia*, vol. ii. p. 384. Savannah. 1816.

almost as by accident, was preserved the life of a patriot who had already rendered signal service in the army of the Revolution, and who, in after years, as soldier, citizen, advocate, senator, and chief magistrate of Georgia, illustrated in a conspicuous degree all the virtues which appertain to the civilian, the hero, and the statesman.

By the legislature of Georgia was Davis complimented for his fidelity to his commander and his attachment to the cause of liberty. In token of the general approval of his conduct he was presented with five hundred acres of valuable land, and with a handsome horse, saddle, and bridle.

Captain Brantley had reached Spirit Creek in the execution of his mission when he learned that the plot had been discovered. Thereupon he hastily returned to Savannah.

In equipping his legion Colonel Jackson depended upon the skill and industry of his own men. Upon the back of a letter addressed to him by Thomas Hamilton, one of his infantry officers, appears this statement in the handwriting of the colonel: "I made all my own accoutrements, even to swords for my dragoons, caps, leather jackets, boots, and spurs, and in short every article."[1] What proof more convincing can be offered of the limited resources of this war-worn land, or of the necessities and the ingenuity of its resolute defenders?

Before following General Twiggs and Colonel Jackson in their demonstration against the British soldiers and loyalists in Southern Georgia, let us refer to some naval affairs which transpired on the Georgia coast, comparatively insignificant, and yet not unimportant in that day of small things, as they have been handed down to us chiefly by Captain McCall to whom, more than all others, we stand indebted for the Revolutionary memories of the State.

The extreme scarcity of clothing, munitions of war, sugar, salt, and of other necessary articles, has already been alluded to. Upon the operations of privateers and small government vessels did the community largely depend for the procurement of these commodities. Uncertain and irregular as that supply[2] was, the function of these vessels in promoting the general comfort and encouraging the common defense cannot be too highly commended.

[1] See Charlton's *Life of Jackson*, Part I. p. 37. Augusta. 1809.

[2] There were times when common salt readily commanded two dollars per bushel, and when, by reason of its absence, the inhabitants, in curing their meats, were forced to rely upon wood-ashes and red-pepper.

They were also a thorn in the side of British commerce and a terror to loyalists cultivating the islands and headlands adjacent to the sea.

Learning that the English ship Britannia lay at anchor in the mouth of Great Ogeechee River, Captains John Howell and John McCleur, on the night of the 14th of April, 1781, with muffled oars towed their privateers alongside and grappled with her. Springing upon deck, they demanded and received quick surrender. Captain Wade and a boat's crew had gone ashore to spend the night, and thus escaped capture. The Britannia had a cargo of rice on board, was bound to the West Indies, and was waiting for a fair wind to put to sea. On the 24th, while off Doboy Sound with this prize, the ship Cormorant, Captain McEvoy, hove in sight and gave chase. Finding that she could not escape, the Britannia struck her colors and came to anchor. While the boats from the Cormorant were in the act of taking possession of her, Captain Howell ran down, fired upon, and compelled them to retire. Then, slipping the cable of the Britannia, he ran that vessel close in shore until he reached the south end of Blackbeard Island where he defended her until the afternoon. Fearing attack during the night by a superior force, he abandoned and burnt the ship, paroling his prisoners and landing them on the island.

On the 4th of June, 1781, Captain Howell having entered the inlet of Sunbury learned from a negro that he had been sent out to catch fish for Mr. Kitchins, the collector of the port, with whom a party of British officers, both civil and military, were to dine that day, it being the king's birthday. Although Mr. Kitchins' house was within four hundred yards of the fort, now no longer called Morris but named by its captors George in honor of his majesty King George III., presuming that the assembled guests on this festive occasion would indulge freely and be found entirely off their guard, Captain Howell resolved upon their capture. Ascending the river with muffled oars and under cover of the night, the captain with twelve men passed the fort without attracting its notice, and, landing at Sunbury, surrounded the house about eleven o'clock and took the entire party, numbering twelve persons, prisoners. Among the captured was Colonel Roger Kelsall, who had insulted and ill-treated Captain Howell while he was a prisoner of war. Incensed at the recollection of these indignities, Captain Howell was on the eve of taking him out and drowning him in the river, when the prayers of the

lady of the house induced him to spare his life. Exacting from his captives a pledge that they would not again take up arms until regularly exchanged, Captain Howell repaired, without loss or molestation, to his privateer. Upon his return to the fort Kelsall observed that when he found himself in Captain Howell's power he anticipated early death. He admitted that he had no right to expect the lenient treatment which he received.

Manning his boats with twenty men from his privateer, Captain Antony on the 12th of July proceeded up the Ogeechee River to capture a schooner laden with rice. He did gain possession of her, but before he could get her out he was intercepted by a British galley commanded by Captain Scallan. Taking to his boats Antony escaped to the shore with the loss of one man killed and another wounded. On the following night he rejoined his privateer. Two days afterwards Captain McCleur, within full view of the British armed vessels lying in Charlestown harbor, took the sloop Brier, Captain William Roberts master, filled with West India produce, and carried her safely into a North Carolina port.

On the 18th of September the brigantine Dunmore, Captain Caldeleugh, mounting twelve guns, sailed from Sunbury for Jamaica. She had no sooner crossed the bar than she was attacked by two American galleys, one of which was commanded by Captain Braddock. A close contest ensued which lasted for four hours when the brigantine effected her escape. She was so much damaged that she was compelled to seek the port of Savannah for repairs. Upon resuming her voyage she was again attacked by Captain Braddock, but a second time succeeded in eluding him. In a gale of wind off Hilton Head the American galley Tyger, Captain McCumber, was capsized on the 20th of October. Two of her crew were drowned. Thirty of them, saved in open boats, joined Captain Howell the next day and assisted in the capture of two schooners freighted with rice, having thirty negro slaves on board, and bound for the West Indies. Before the schooners could be conveyed to a place of security Captain Scallan appeared in a galley with two boats and sixty men. Setting fire to the schooners, Captain Howell escaped with the negroes. Promptly taking possession of the schooners, the enemy saved them from the impending conflagration.

Trivial as these affairs, and others of like character, doubtless were, they will now be remembered as the best manifestations of activity on the sea which the patriots of Georgia in their impoverished and enfeebled condition were capable of exhibiting.

In conducting his movement southward as far as Ebenezer Colonel Jackson had several skirmishes with the enemy who, as they retired, destroyed the bridges along his line of march and annoyed him wherever the cover of a thick wood afforded an opportunity.

To render secure the communication between Savannah and the lower counties the British maintained military posts at Great Ogeechee ferry and at Sunbury. General Twiggs, assisted by Jones, Irwin, Lewis, Carr, and others, had been very successful in rousing the patriotic ardor of the inhabitants and in swelling the ranks of the Revolutionists. He hoped soon to be strong enough to make an attack upon Savannah. From Burke County, late in October, he ordered Colonel Jackson, then at Ebenezer, with Stallings' dragoons, McKay's riflemen, and Carr's volunteer dragoons, to attempt the surprise and reduction of the British post at Great Ogeechee ferry. While nearing that post on the 2d of November, Jackson fell in with a scouting party whom he captured without spreading any alarm, and actually appeared before the White House at the ferry before Captain Johnston, the English commander, was aware of his approach. So suddenly did he fall upon this structure, which constituted the principal defense, that Captain Johnston agreed to surrender and was in the act of handing his sword to Colonel Jackson when Captain Goldsmith was killed by Captain Patrick Carr.[1] Inferring from this unexpected and violent act that no quarter was to be given, Captain Johnston sprang into the house and called upon his men to resume their arms and to sell their lives as dearly as possible. With so much vigor was the structure defended that "Jackson was not only compelled to relinquish what he deemed a certain conquest, but to retreat with the loss of Captain Grant and several of his men." At this juncture he was deserted by McKay's riflemen who went off in quest of plunder.

Proceeding to Butler's house, distant a mile from the ferry, where were stationed fifteen loyalists under the command of Captain Howell who was lying sick abed, he carried that post which offered a stout resistance. Howell and five of his men were killed. Five others were captured.

In the vicinity was stationed Lieutenant-Colonel Campbell, of

[1] He was an Irishman by birth, a zealous patriot, of great determination, but possessing a quick and ungovernable temper. With his own hand, during the progress of the Revolution, he is said to have slain one hundred Tories. He was a terror to all loyalists.

the British cavalry, with a portion of his regiment. When Jackson retreated from the White House at the ferry, Johnston with his men and Captain Wylie with a detachment of Florida Rangers joined Campbell, thus swelling his ranks to an aggregate of eighty-five men. Jackson's command was now reduced to forty-nine dragoons officered by Stallings and Carr, and eight dismounted militiamen led by Captain William Greene.

About four o'clock in the afternoon the enemy advanced upon him. Placing his infantry in front he concealed his cavalry behind a hummock. As the British cavalry charged over this little body Jackson hurled his dragoons upon them, before whom they broke and fled for some distance. Finally they rallied behind a fence whence they could not be dislodged. Jackson in turn was forced to seek protection in an adjacent swamp. Under cover of the night he retired toward Ebenezer.

In these skirmishes the Americans sustained a loss of six killed, five wounded, and five taken prisoners. Among the slain was Captain Greene, and among the captured Captain Bugg. The enemy lost two captains, one cornet, and nine privates killed, and thirty non-commissioned officers and privates wounded and captured.[1]

Upon his return to Ebenezer Colonel Jackson was reinforced so that his command numbered one hundred and fifty men. With this force he scoured the country, attacking the foraging parties of the enemy, and restoring to their former owners many negroes and much personal property which he found in the possession of the loyalists. Frequently did his command suffer for want of subsistence. Rations were limited to rice, and even this food was sometimes procured at great hazard and in small quantities. Corn was so scarce that every grain was husbanded to be used as seed. The country had been so trampled upon and plundered by the enemy that the barest necessaries of life were most difficult of procurement.

While General Twiggs[2] with his command was encamped in

[1] See Charlton's *Life of Jackson*, Part I. pp. 36, 37. Augusta. 1809. McCall's *History of Georgia*, vol. ii. pp. 393, 394. Savannah. 1816.

[2] Famous was he among the partisan officers of Georgia during the war of the Revolution. Brave, active, intelligent, influential, he was a tower of strength, and a favorite leader of the patriots. He subsequently rose to the rank of major-general of the State's forces, and died at his residence in Richmond County on the 5th of April, 1816. He lived to see his country triumph in two wars, and in time of peace filled various offices of trust and honor. Among them may be mentioned the positions of representative and senator in the General Assembly, and of trustee both of Richmond Academy and of the University of Georgia.

Burke County preparing for a demonstration against Savannah, he was diverted from his purpose by a body of loyalists and Indians depredating upon the northwestern frontiers of the State. Falling upon them near the Oconee River he completely dispersed them, killing and capturing a number. On this expedition he was accompanied by Messrs. Myrick Davies, David Emanuel, and —— Lewis, members of the executive council. About the middle of December, as his command was passing through Burke County, these gentlemen lagged behind. In an unguarded moment they were set upon by a party of loyalists led by Captain Brantley. Emanuel and Lewis being mounted upon fleet horses effected their escape. Davies was overtaken and subsequently murdered by his inhuman captors.[1] Too weak to hazard an assault upon the British lines around Savannah, General Twiggs hovered in the vicinity, driving back the foraging parties of the enemy, threatening their outposts, protecting the persons and property of such of the patriots as tarried in the region, and awaiting the arrival of reinforcements which General Greene promised to send so soon as they could possibly be spared.

In November the Cherokees, incited by Major William Cunningham of his majesty's service and a lawless set claiming him as commander, entered the northern settlements of Georgia, robbing and murdering as they journeyed. Taking advantage of this provocation, General Pickens, with three hundred men of his brigade and a hundred Georgians under Major John Cunningham, advanced into the Cherokee territory and burned every habitation and village south and east of the mountains. He would have crossed the mountains, but was deterred by a deep fall of snow. Shortly after the return of this expedition the Cherokees, associating some Creeks with them, entered upon another invasion of the Georgia territory. They were met beyond the Oconee River by Colonel Clarke, and Colonel Robert Anderson of Pickens' brigade, and were driven back.

It will be remembered that an act had been passed by the

[1] White's account of this affair is somewhat different. He states that after capture by a party of loyalists under the command of Captain Brantley, Emanuel, Davies, and Lewis were conveyed to McBean's Creek where, upon consultation, it was determined to shoot them. Brantley ordered a large fire to be kindled and compelled those gentlemen, disrobed except as to their shirts, to stand before it. Three loyalists were detailed to shoot them. At the prisoners standing between them and the fire they discharged their weapons. Davies and Lewis fell dead, but Emanuel, unhurt, sprang over the fire and effected his escape. *Historical Collections of Georgia*, p. 221. New York. 1855.

legislature of Georgia confiscating the property of sundry Royalists and adjudging the parties named guilty of high treason. Although the estates thus condemned had not yet been seized and sold, so confident were the republicans of ultimate success, and so pressing was the need of money, that the legislature which assembled in Augusta in January, 1782, anticipating the fund which was to be realized from the sale of those properties and pledging it in advance, authorized the issue of certificates to the amount of £22,100 sterling to meet the expenses requisite for the conduct of the government, and to the further amount of £15,000 to liquidate arrears due to the militia. These certificates were to be redeemed at par in gold and silver coin by the State after the sale of the confiscated property and from the moneys thence derived. Sad commentary upon the low ebb at which the public credit then stood! The truth is, unable to raise by taxation the necessary revenues, the General Assembly resorted to this, the only method it could devise, for satisfying demands the payment of which had long been deferred, and to provide for the emergencies of a present impecunious to the last degree.

"It is all over!" exclaimed Lord North with the deepest agitation and distress when the tidings of the surrender of Lord Cornwallis first reached England. Fox heard with wild delight of the capitulation of Yorktown, and the speech of the king grew confused. "Give up all further attempts to reduce the revolted Colonies," urged Sir James Lowther, while the city of London entreated his majesty "to put an end to this unnatural and unfortunate war." Lord George Germain was forced to retire from the cabinet. Edmund Burke wrote to Benjamin Franklin congratulating him upon the near advent of peace "between the two branches of the English Nation." Influences were at work which, before the lapse of many months, drew from Buckingham's ministry an assent to American independence.

The potent effect of this signal disaster upon the minds of the British soldiery in America, the junction of the auxiliary force under General St. Clair, and the recent successes of General Greene in South Carolina enabled that officer, in January, 1782, to redeem his promise and turn his attention to the relief of Georgia. As he was on the eve of detaching General Wayne for this important service he penned a letter to Governor Martin eminently wise, conservative, and replete with counsel most valuable. "I cannot help recommending to your Excellency to open a door for the disaffected of your State to come in, with particular excep-



Anthy Wayne



tions. It is better to save than destroy, especially when we are obliged to expose good men to destroy bad. It is always dangerous to push people to a state of desperation, and the satisfaction of revenge has but a momentary existence and is commonly succeeded by pity and remorse. The practice of plundering which, I am told, has been too much indulged with you, is very destructive to the morals and manners of the people. Habits and dispositions founded on this practice soon grow obstinate and are difficult to restrain: indeed it is the most direct way of undermining all government, and never fails to bring the laws into contempt, for people will not stop at the barriers which were first intended to bound them after having tasted the sweets of possessing property by the easy mode of plunder. The preservation of morals and an encouragement to honest industry should be the first objects of government. Plundering is the destruction of both. I wish the cause of Liberty may never be tarnished with inhumanity, nor the morals of people bartered in exchange for wealth." The salutary influence of this communication was subsequently observed in the proclamations of Governor Martin and in the action of the legislature assembled to deal with problems connected with the restoration of republican power.

"To reinstate, as far as might be possible, the authority of the Union within the limits of Georgia" was the general mission of the hero of Stony Point. He was accompanied by one hundred of Colonel Moylan's dragoons commanded by Colonel Anthony Walton White, and a detachment of field artillery. On the 12th of January he crossed the Savannah River in small boats, the cavalry horses swimming by their sides. His artillery was left behind until suitable transportation could be procured. He was soon joined by Colonel Hampton with three hundred mounted men from General Sumter's brigade. The infantry and cavalry of Jackson's legion then numbered only ninety men. McCoy's volunteer corps did not exceed eighty, all told. To these Governor Martin hoped to add three hundred Georgia militia.

So soon as the governor and General Assembly were notified of General Wayne's entry into Georgia, a committee of the executive council was appointed to wait upon him and devise measures for carrying into practical operation the suggestions contained in General Greene's letter to Governor Martin. This conference resulted in the preparation of two proclamations: one opening the door for the return of disaffected Georgians to re-

publican ranks, and the other encouraging desertions from the enemy. The latter was particularly addressed to the Hessian troops who were already in sympathy with the Salzburgers at Ebenezer. These proclamations were not without decided effect, and excited no little dissatisfaction among the citizens and soldiery in Savannah. "Many of the former citizens," says Stevens,[1] "who had been compelled from various causes to take protection under the British Government and who had even joined the armies of the enemy, availed themselves of the door opened by the proclamation which had special reference to them, returned to their state allegiance, and joined the camp of General Wayne, proving their sincerity by the most zealous efforts to merit the pardon and protection extended to them by the executive."

The duty assigned to General Wayne of keeping a close watch upon the enemy and, if the occasion presented, of attempting the capture of Savannah by a nocturnal assault, was so efficiently discharged that predatory bands of soldiers and loyalists were seldom seen beyond the lines of that town. The customary intercourse of the Indians with the garrison was largely restrained. That garrison, including the reinforcement recently sent by Lord Rawdon and a corps of one hundred and fifty negroes armed and enrolled as infantry and commanded by the notorious Brown, consisted of thirteen hundred regular troops and about five hundred loyal militia. The town itself was strongly fortified. Its land approaches were suitably defended by field and siege guns judiciously posted. Armed row-galleys and brigs covered the water front. So closely were these lines watched and so strictly were the British forces confined to their defenses that the gallant Jackson on more than one occasion demonstrated almost up to the town gates and picked off men and horses from the common.

As soon as the advance of the American forces under General Wayne was known in Savannah, Brigadier-General Alured Clarke, who commanded the royal troops in Georgia, "directed his officers, charged with his outposts, to lay waste the country with fire and to retire with their troops and all the provisions they could collect into Savannah." This order was rigidly executed and the circumjacent district was devastated. "In consequence whereof, Wayne found it necessary to draw his subsistence from South Carolina, which added to the difficulties

[1] *History of Georgia*, vol. ii. p. 273. Philadelphia. 1859.

daily experienced in providing for the main army." General Henry Lee, in his "Memoirs," compliments in high terms General Wayne's conduct during this period. "While in command before Savannah," so he writes, "his orders, his plans, his motions, all bespoke foresight and vigilance; and although he played a hazardous game, he not only avoided detriment or affront, but added to the honor of our arms."

Writing to General Greene, under date of February 28, 1782, General Wayne conveys this impression of his situation and labors: "The duty we have done in Georgia was more difficult than that imposed upon the children of Israel. They had only to make bricks without straw, but we have had provision, forage, and almost every other apparatus of war to procure without money: boats, bridges, &c. to build without materials except those taken from the stump: and, what was more difficult than all, to make *Whigs* out of *Tories*. But this we have effected, and have wrested the country out of the hands of the enemy, with the exception only of the town of Savannah. How to keep it without some additional force is a matter worthy of consideration."

Anxious to enlarge the limits of the civil authority, Governor Martin, so soon as General Wayne had permanently established his headquarters at Ebenezer, removed the seat of government to that town.

During this period of the practical investment of Savannah the enterprise, watchfulness, and intrepidity of Colonel Jackson were beyond all praise. For desperate adventures was he selected by his commander, and it was his ambition to strike the enemy whenever he presented a vulnerable point. At Cuthbert's sawmill, on the 13th of February, 1782, he was attacked by Colonel Hezekiah Williams and came off victorious. Thirteen days afterwards, with thirty dragoons, he succeeded by night in dislodging the picket and in burning the rice barn upon Governor Wright's plantation situated only a half mile southeast of Savannah. Major Barnwell was not so successful in his attempt to destroy the rice on Hutchinson's Island.

The savage ferocity displayed by the enemy on occasions may be inferred from the following communication penned by General Wayne, and dated Headquarters, Ebenezer, 26th of March, 1782: "On receiving intelligence that the enemy were on the point of moving out in force, I determined to more than meet them, and to avail myself of circumstances and position, from a conviction

that although our numbers were not so great as I could wish, yet we were not to be disgraced, and that if we could possibly produce disorder in their ranks the enemy would have no reason to triumph from the encounter. Our advance guard fell in with a party of their dragoons three miles from Savannah, whom they immediately charged and drove into the lines, and then sounded a charge within the influence of their batteries. This temerity in the officer drew the enemy out in force, and, in falling back before them one of his dragoons was killed. However, as soon as they discovered that the advance was supported, they retired into their works, bearing off the scalp of the dragoon, with which they paraded the streets of Savannah, headed by the lieutenant-governor and other British officers who gave an entertainment to the Indians and had a dance on the occasion.

"Nor did their barbarity rest here. They mangled and disfigured the dead body in a manner that none but wretches inured in acts of cruelty would possibly be capable of, and ordered it to remain unburied. But the Ethiopians, more humanized, stole it away and deposited it in the ground; for the commission of which crime a reward of five guineas is offered for the discovery of any person or persons concerned in that act of humanity."

Are we to believe that association with the red savage, a desire to conciliate his barbaric friendship, and a bitter hatred of the descendants of Englishmen struggling to be free had thus brutalized the sensibilities and depraved the conduct of British soldiery?

Ever since Savannah passed into the hands of the enemy it had become a favorite resort of the Creeks and Cherokees. There were deputations entertained. There were royal presents distributed, and there were hatched schemes for the annoyance of the republicans. Knowing that Indian parties were still visiting that town, and desirous of either winning them over to the American cause or of inducing them to remain neutral in the pending struggle, General Wayne dispatched Major John Habersham, accompanied by Major Francis Moore in command of some South Carolina cavalry and attended by some mounted militia led by Captain Patrick Carr, to intercept and conciliate them. Representing himself to be Colonel Brown, with whose name and reputation the red nations were quite familiar, Major Habersham was at first successful in his efforts. His plan was subsequently foiled by the indiscretion and disobedience of a lieutenant who, with a portion of the mounted militia, slew several of the Indians

and then, making a rapid descent upon Sunbury, killed eleven loyalists, residents of that town. Major Moore, too, learning that the Creek Indians had stolen some horses on the frontier of Liberty County, selecting fifteen men, went in pursuit of them. Overtaking them at Reid's Bluff, he attempted at first to circumvent them by offers of amity. Undeceived by the stratagem, the savages sought the protection of a log house, and, in the skirmish which ensued, Moore was killed and Smith wounded. Captain Nephew, second in command, then ordered a retreat. Smith, upon the departure of his companions, was seized and put to death by the Indians. These and similar transactions defeated Habersham's mission. Henceforward the sword, and not diplomacy, was needed to interrupt the relations existing between the British and the Indians. In April General Wayne was reinforced by one hundred and fifty Virginians, commanded by Colonel Posey. This accession was very opportune, as the terms of service of many of the Georgia and South Carolina militiamen had expired, and they required, in the language of the commanding general, "some respite from duty and fatigue which they had gone through with cheerfulness and fortitude becoming the virtuous citizens of America." These Virginians, having marched three hundred miles, were destitute of shoes, shirts, and overalls, and there were no stores at hand from which their wants could be supplied. Even the governor of the State and his family were dependent for subsistence upon rations issued by the commissary. Since his induction into office he had not received from the public treasury money sufficient to procure the necessaries of life. His poverty and the inability of the State to pay his salary evoked from the legislature on the 4th of May a resolution empowering Governor Martin to take ten negroes belonging to any person or persons who had forfeited the same, and appropriate the proceeds arising from their sale to the support of himself and family while he continued in the administration of governmental affairs. A committee of the House, having inspected certain articles forwarded by Captain Ignatius Few to the governor on public account, found them to consist of seventy-five pounds of sugar, nine bushels of salt, and twenty-three gallons of rum. The following disposition of them was ordered: To the president of the council, two gallons of rum, ten pounds of sugar, and two quarts of salt; to each member of council one gallon of rum, five pounds of sugar, and one quart of salt; to the messenger of the board, five pounds of sugar, a quart of salt, and a half gallon of

rum; and the rest to the governor to be disposed of as he might deem proper.[1]

In this season of extreme poverty the South Carolinians voted some rice to the Georgians. So difficult of procurement was transportation that one third was allowed as compensation to those who brought it from Pocotaligo to Ebenezer. When called upon for her quota of the expense incident to the support of the continental government, Georgia, at the moment wholly unable to respond, replied through her agent, "There is not a quarter part of the money in the State without the enemy's lines, neither is there produce to raise it from, or a sufficient provision to last the people until harvest."

In the face of such general want Wayne was greatly embarrassed in securing food for his command, but he bore up patiently and cheerfully under all difficulties. Encouraged by his temper and fortitude his men failed not in their duties, but in the midst of privations and dangers illustrated all the virtues which appertained to the patriot and the soldier.

Finding that his territorial command was practically limited to the fortified lines around Savannah, General Alured Clarke by messengers communicated with the Creeks and Cherokees and invoked their assistance. The blows delivered by Pickens, Clarke, and Anderson staggered those Indian nations, distracted their counsels, and delayed a ready response to these entreaties. Finally, the 15th of May was named as the time when a force of Indians would approach the southern frontier of Georgia to render to the British general the aid which he supplicated. In anticipation of this accession, and to prevent General Wayne from intercepting the free passage of these Indians, General Clarke, on the 19th of May, sent out a detachment of one hundred men under the command of Captains Ingram and Corker. Crossing the Great Ogeechee the next morning and seeing nothing of the expected savages, the men of this command busied themselves in collecting cattle. Upon recrossing the river they were attacked by Colonel Jackson who drove the advance guard back upon the main body. Then retreating about three miles, to Struther's plantation, he posted his men in a swamp on each side of the road and, as Atwood's dragoons approached, saluted them with a volley.

Apprehending that some misadventure might befall his detachment, General Clarke ordered Colonel Brown (who had been

[1] See Stevens' *History of Georgia*, vol. ii. p. 281. Philadelphia. 1859.

exchanged shortly after his capture at Augusta) with two hundred and sixty infantry and eighty dragoons to move to its support. A junction was formed between the two commands at Little Ogeechee causeway, some eight miles from Savannah.

Informed of these movements General Wayne advanced with his entire available force to intercept Brown. His van consisted of sixty infantry under Captain Parker, and thirty dragoons commanded by Lieutenant Bowyer. Parker was ordered to march as rapidly as he could and take possession of Baillou's causeway. Just as he reached the end of this causeway he perceived, in the darkness, a small body of cavalry in his front. As the opposing forces met, Parker demanded the countersign. Either through mistake or confusion the British officer "advanced in the attitude of friendship until it was too late to correct his error." He and eighteen dragoons were there captured. One escaped and gave the alarm to Brown who, with his cavalry in front, was just entering upon the further end of the causeway. Lieutenant Bowyer, charging vigorously, caused the cavalry to recoil upon the infantry. The entire command, thrown into confusion, fell back with a loss of five killed and several wounded. Among the latter was Colonel Douglass, second in command.

Securing all the direct avenues of retreat toward Savannah, Wayne hoped, on the morrow, to capture Brown, but that wily officer, conducted by guides having a thorough knowledge of the region, led his command by private ways at right angles with the direct road until he reached the highway connecting White Bluff with Savannah. Pursuing that route he reached Savannah in safety at an early hour the next morning.[1]

Some weeks prior to this affair Wayne had overtaken a party of Creek Indians on their way to Savannah for the purpose of trade. Treating them kindly, and explaining to them the fact that the British force was now closely confined within Savannah and that the Americans would soon compel either an evacuation or a surrender of that town, he dismissed them with presents and sent Mr. Cornell with them to confirm at their own homes the good talk which he had given them. Many of the Indians were thus influenced in behalf of pacific measures. There was one among them, however, Guristersigo by name, a chief of valor and of control, who, summoning about him three hundred warriors, determined to march to Savannah in response to the request of

[1] See McCall's *History of Georgia*, vol. ii. p. 406. Savannah. 1816. Lee's *Memoirs*, etc., vol. ii. p. 433. Philadelphia. 1812.

General Clarke. For the following account of what transpired we are indebted to the accomplished author of "Memoirs of the War in the Southern Department of the United States:"[1]—

"This warrior, accompanied by his white men, his guides, passed through the whole State of Georgia unperceived except by two boys who were taken and killed; and, having reached the neighborhood of Wayne on the 23d of June, he determined to strike at a picquet of the American corps stationed, as he was informed, at Gibbons' plantation, directly on the route to and not far distant from Savannah.

"There were two plantations, so called, in the same range of country, both of which were occasionally stations for our troops. At this time Wayne himself, with the main body, occupied one, while the other was on the same day (22d) held by a picquet guard. Not only to avoid Wayne, but to carry this picquet became the object of Guristersigo; and he acquired through his white conductors the requisite intelligence, with negro guides for the execution of his purpose.

"Wayne, in pursuance of a system adopted to avoid surprise (of which the Indian Chief was uninformed), moved every night; and consequently the calculation that he would be on the 23d where he had been on the 22d was unfounded. The reverse was the fact, which would undoubtedly have been perceived by Guristersigo had he been acquainted with the custom of the American General, and his plan of attack would have been modified accordingly. Decamping from Gibbons' late in the evening of the 22d, Wayne exchanged positions with his picquet, and thus fortunately held the very post against which the Indian warrior had pointed his attack.

"Here the light infantry under Parker (who had been for several days close to Savannah) joined, and being much harassed by the late tour of duty was ordered by the Brigadier to take post near to his artillery, in the rear. Knowing but one enemy (the garrison of Savannah), Wayne gave his entire attention to that quarter; and conscious, from his precautions, that no movement could be made by the enemy in Savannah without due notice, he forbore to burden his troops with the protection of his rear, because in his opinion unnecessary. A single sentinel only from the quarter-guard was posted in the rear, on the main road leading through the camp to Savannah, and the very road which Guristersigo meant to take.

[1] Vol. ii. p. 435. Philadelphia. 1812.

"Soon after nightfall the Indian Chief, at the head of his warriors, emerged from the deep swamps in which he had lain concealed, and gained the main road. He moved in profound silence, and, about three in the morning, reached the vicinity of our camp. Here he halted and made his disposition for battle. Believing that he had to deal with a small detachment only, his plan of attack was simple and efficient. Preceded by a few of the most subtle and daring of his comrades, directed to surprise and kill the sentinel, he held himself ready to press forward with the main body upon the signal to advance. This was not long delayed. His wily precursors, having encompassed our sentinel, killed him, when Guristersigo, bounding from his stand, fell with his whole force upon our rear. Aroused from sleep, the light infantry stood to their arms, and the matrosses closed with their guns.

"But the enemy was amongst them; which being perceived by Parker, he judiciously drew off in silence and joined the quarter-guard behind Gibbons' house at headquarters. The General had about this time mounted, and, concluding that the garrison of Savannah was upon him, he resorted to the bayonet, determined to die sword in hand. Orders to this effect were given to Parker, and despatched to Lieutenant-Colonel Posey, commanding the camp, distant a few hundred yards. Captain Parker, seconded by the quarter-guard, advanced upon the foe; and Posey moved with all possible celerity to support the light troops, but did not arrive in time to share in the action. Wayne, participating with his light corps in the surrounding dangers, was now dismounted, his horse being killed; the light troops, nevertheless, continued to press forward, and Parker drove all in his way back to our cannon, where the Indian Chief with a part of his warriors was attempting to turn our guns to their aid. Here Guristersigo renewed the conflict and fought gallantly; but the rifle and the tomahawk are unavailing when confronted by the bayonet in close quarters. We soon recovered our artillery, and Guristersigo, fighting bravely, was killed. Seventeen of his warriors, and his white guides fell by his side. The rest fled.

"Now it was discovered that the assailing foe was not from Savannah. Although surprised at the extraordinary occurrence, Wayne adapted with promptitude his measures to the occasion, and, scattering his troops in every direction, pursued the flying Indians. Twelve of them were taken and, after a few hours' captivity, were put to death by order of the general. One hun-

dred and seventeen pack-horses, laden with peltry, fell into our hands; and, although every exertion was made to capture the surviving Indians, they all got back to their distant country. Our loss was small, not exceeding twelve killed and wounded.

"This bold and concluding scene, though highly honorable to the unlettered Chief, did not surpass those which preceded it in the progress of his daring enterprise. The accuracy of the intelligence obtained respecting the interior of Georgia, the geographical exactitude with which he shaped his course, the control he established over his rude band, — repressing appetite for plunder when opportunity for gratification hourly occurred, — and the decision with which he made his final arrangements, alike merit applause. Guristersigo[1] died, as he lived, the renowned warrior of the Overhill Creeks."

[1] Lee and Wayne call this chief Guristersigo. Others, among whom is Judge Johnson, name him Emitasago.

CHAPTER XXVII.

INDEPENDENCE AT HAND. — GOVERNOR WRIGHT'S COMMUNICATION TO GENERAL WAYNE. — DISPATCH FROM SIR GUY CARLETON. — A DEPUTATION FROM THE MERCHANTS AND CITIZENS OF SAVANNAH WAITS UPON GENERAL WAYNE. — GENEROUS TERMS OFFERED ON THE PART OF THE REPUBLICANS. — MAJOR JOHN HABERSHAM ENTRUSTED WITH THE CONDUCT OF NEGOTIATIONS. — GENERAL WAYNE'S ORDER IN ANTICIPATION OF THE EARLY EVACUATION OF SAVANNAH. — COLONEL JACKSON DESIGNATED TO RECEIVE THE SURRENDER OF THE TOWN. — GENERAL WAYNE'S ORDERS ON TAKING POSSESSION OF SAVANNAH. — EVACUATION OF THE TOWN. — GEORGIA DESPOILED BY THE DEPARTING LOYALISTS. — GENERAL WAYNE COMPLIMENTED BY GENERAL GREENE. — THE EXECUTIVE COUNCIL AND THE LEGISLATURE CONVENE IN SAVANNAH. — ACTS AND REGULATIONS PROMULGATED BY THEM. — COLONEL JACKSON COMPLIMENTED WITH A MANSION. — PLANTATIONS PRESENTED TO GENERALS WAYNE AND GREENE. — MEASURES ADOPTED FOR THE REHABILITATION OF THE STATE. — LOSSES SUSTAINED BY GEORGIA DURING THE REVOLUTIONARY WAR. — HER POPULATION. — MEMORIAL OF SIR JAMES WRIGHT. — DR. LYMAN HALL ELECTED GOVERNOR. — GEORGIA AN INDEPENDENT STATE.

HAVING been officially notified of the proceedings of Parliament contemplating an adjustment of the existing difficulties between England and America and foreshadowing an early acknowledgment of the independence of the United Colonies, Governor Wright promptly communicated the intelligence to General Wayne. He accompanied his dispatch with an avowal of his determination to "observe such conduct in every respect as might best promote a speedy and happy reconciliation and peace" between the two countries. As the most effectual means of bringing about this desirable result he proposed a cessation of hostilities. Declining to act upon the suggestion, General Wayne referred the matter to his commanding officer, General Greene, who, in turn, took counsel of the Continental Congress. Fortunate was it that Wayne did not relax his vigilance, for Guristersigo was at the time on the march to join General Alured Clarke in Savannah.

Matters, however, reached a crisis in the royal camp upon the arrival of a communication from Sir Guy Carleton, dated New

York, May 23, 1782, ordering the evacuation both of Savannah and of the province of Georgia, and notifying the authorities that transports might be expected to bring away not only the troops and military and public stores, but also Governor Wright and all loyalists who desired to depart. Although anticipated, this intelligence created a profound impression among soldiers and civilians. The latter were most anxious to ascertain what their status would be under the changed condition of affairs, and to secure pledges that they would be unmolested in the enjoyment of personal liberty and private property. Negotiations were at once opened between Governors Wright and Martin, and between the British merchants represented by Major Hale and General Wayne.

Early in July that officer was waited upon by a deputation of merchants and citizens bearing a flag. As British subjects, they desired to know upon what terms they would be permitted to remain in Savannah after the withdrawal of the king's troops. They requested also to be informed whether their rights of property would be respected.

Upon conference with Governor Martin it was concluded "to offer assurances of safety for the persons and property of such inhabitants as chose to remain in Savannah after it should be evacuated by the British troops, and that a reasonable time would be allowed them to dispose of their property and settle their pecuniary concerns in the State." It was emphatically declared that persons who had been guilty of murder or atrocious crimes were liable to trial and punishment according to the laws of Georgia. For the safety of such culprits the governor declined to stipulate, alleging very properly that the executive could not rightfully exercise control in matters which, by the constitution of Georgia, were cognizable by the courts. In the case of merchants, ample opportunity would be afforded for them to sell their goods and adjust their accounts. At the expiration of a reasonable period a flag would be granted to convey them and their property to any convenient British port they might select.

With regard to those inhabitants who, having served in the king's militia, were now willing to enlist in the Georgia regiment of infantry for two years or the war, assurance was given that every effort would be expended in procuring the passage of an act granting oblivion of all offenses which they might have committed, except murder.

"In offering these terms," said General Wayne, "I had in view not only the interest of the United States but also that of Georgia: by retaining as many inhabitants and merchants as circumstances would admit, and with them a considerable quantity of goods much wanted for public and private use: but (what was yet of greater consequence) to complete your quota of troops without any expense to the public, and thus reclaim a number of men who, at another day, will become valuable members of society. This also appeared to me an act of justice tempered with mercy: justice to oblige those who have joined or remained with the enemy to expiate their crime by military service; and mercy, to admit the repentant sinner to citizenship after a reasonable quarantine. By these means those worthy citizens [the Whigs], who have so long endured every vicissitude of fortune with more than Roman virtue, will be relieved from that duty."

These terms having been reported in Savannah, another deputation was appointed to enter into definite stipulations. That they might be well understood, it was requested that they should be reduced to writing. This was accordingly done. To Major John Habersham, an officer of the Georgia line, a native of Savannah, a gentleman whose personal character inspired confidence, and whose correct conduct and polished address commanded the utmost respect even from those who were inimical to the cause which he espoused, was this negotiation chiefly confided on the part of the patriots.

"Satisfied with the assurances of protection which were given," writes Captain McCall, "many of the British subjects who resided with their families in Savannah discontinued the preparations which they had commenced for removal, and became citizens of the United States. Such of the loyalists as were unwilling to subscribe to the conditions proposed removed with their families and the property they had in possession to Cockspur and Tybee islands where they encamped until the transports were ready to sail. Among this number there were many whose atrocious conduct during the war would have placed their lives at great hazard if they had been tried by the civil authorities of the State. Others had in possession large fortunes in negroes and other property which had been plundered from their Republican countrymen."

In anticipation of the early departure of the British forces General Wayne published the following order: —

"HEAD QUARTERS, CAMP AT GIBBONS', *July* 10*th*, 1782.

"As the enemy may be expected daily to evacuate the town, the troops will take care to be provided with a clean shift of linnen, and to make themselves as respectable as possible for the occasion. The officers are particularly called upon to attend to this order and see it executed in their respective corps. No followers of the army are to be permitted to enter the town until the main body has marched in. Lieut: Col: Jackson, in consideration of his severe and fatiguing service in the advance, is to receive the keys of Savannah, and is allowed to enter at the western gate, keeping a patrole in town to apprehend stragglers who may steal in with the hopes of plunder. Marauders may assure themselves of the most severe and exemplary punishment."[1]

The very next day (July 11, 1782) the British troops evacuated Savannah, and, in the afternoon, General Wayne entered with his forces and took possession of the town. This done, the following order was forthwith promulgated: —

"HEAD QUARTERS, SAVANNAH, 11*th July*, 1782.

"The light infantry company under Captain Parker to take post in the centre work in front of the town, placing sentries at the respective gateways and sally ports to prevent any person or persons going from or entering the lines without written permits until further orders.

"No insults or depredations to be committed upon the persons or property of the inhabitants on any pretext whatever. The civil authority only will take cognizance of the criminals or defaulters belonging to the State, if any there be. The merchants and traders are immediately to make out an exact and true invoice of all goods, wares, or merchandise of every species, dry, wet, or hard, respectively belonging to them or in their possession, with the original invoices, to the Commissary, who will select such articles as may be necessary for the army and for the public uses of the State, for which a reasonable profit will be allowed. No goods or merchandise of any kind whatever are to be removed, secreted, sold, or disposed of until the public and army are first served, which will be as soon as possible after the receipt of the invoices, &c.

"N. B. Orders will be left with Captain Parker for the immediate admission of the Honorable the Executive Council, and the Honorable the Members of the Legislature, with their officers and attendants."

[1] Charlton's *Life of Jackson*, Part I. p. 43. Augusta. 1809.

To Colonel Jackson were the keys of the town delivered, at its principal gate, in token of formal surrender; and he enjoyed the profound pleasure and distinguished honor of being the first to enter Savannah from which the patriots had been forcibly expelled in December, 1778.[1] This compliment was well merited and handsomely bestowed. It was a just recognition of the patriotism and gallantry which characterized him during the war, and of the activity displayed by him as the leader of the vanguard of the army of occupation.

Thus, after the lapse of three years and a half, was the capital of Georgia wrested from the dominion of the royal forces and restored to the possession of the sons of liberty. With the departure of the British garrison there lingered not a single servant of the king on Georgia soil. Although no treaty of peace had yet been consummated between England and America, this surrender of Georgia into the hands of the republicans was hailed as a practical abandonment of the war on the part of the Realm, and was regarded as an earnest of a speedy recognition of the independence of the United States. And so it proved.

If we may credit the contemporaneous accounts, between the 12th and 25th of July, 1782, in addition to the garrison, from Savannah and its vicinity were transported five hundred women and children, three hundred Indians, and several thousand negroes. Governor Wright, accompanied by some of the civil and military officers, was conveyed to Charlestown, South Carolina, in the Princess Caroline. General Alured Clarke, with a portion of the British regulars, sailed for New York. Colonel Brown with his rangers and some Indians repaired to St. Augustine. Others, including the negroes, were carried to the West India islands under convoy of the frigate Zebra, the sloop of war Vulture, and other armed vessels which had been ordered to the Georgia coast for that purpose.[2]

By these departing loyalists, many of whom had been guilty of enormities the most revolting, was Georgia grossly despoiled. Gathering about them slaves and personal property plundered, during a series of years, from republican owners intent upon an assertion of their claims to liberty, they effected an escape to distant parts where, avoiding punishment for past offenses, they enjoyed their gains ill-gotten in an unholy strife. So far as the record stands, no return was ever made of this stolen property,

[1] See Charlton's *Life of Jackson*, Part I. p. 44. Augusta. 1809.

[2] See McCall's *History of Georgia*, vol. ii. p. 420. Savannah. 1816.

no compensation offered to the impoverished republicans who, amid the general wreck of desolated homes and vanished possessions, sought a modicum of comfort and subsistence.

Leaving Colonel Jackson with his legion and Major John Habersham's corps of new recruits in charge of Savannah, General Wayne marched with his forces to South Carolina where he joined General Greene. "I wish you to be persuaded," wrote that great and generous officer to his subaltern, "that I shall do you ample justice in my public accounts to Congress and the Commander in Chief. I think you have conducted your command with great prudence and with astonishing perseverance; and in so doing you have fully answered the high expectations I ever entertained of your military abilities from our earliest acquaintance."

Following close upon the heels of the military came members of the executive council, who established themselves in Savannah on the 14th of July. There being many lawless, profligate, idle, and runaway negroes in the town and its vicinity, one of the first acts performed by this body was the appointment of Joseph Clay, James Habersham, John Houstoun, William LeConte, John Wereat, William O'Bryan, John Kean, Peter Deveaux, Thomas Stone, Peter Taarling, and Joseph Woodruff as a special committee to take into immediate custody all negro slaves absent from their masters, and all suspected property. This done, public notice was given so that owners might prove property and reacquire possession.

The legislature quickly convened and approved the agreement made between Governor Martin and General Wayne and the British merchants in Savannah, rendering it obligatory upon the latter to expose their goods for sale at fair profit and to abstain from anything savoring of extortion.

Bills were passed forbidding the exportation of salt, provisions, and other necessaries of life; placing the Georgia battalion upon an equal footing with the continental troops as to pay, clothing, and rations; reopening the courts of justice; encouraging churches and schools; and prescribing terms upon which the disaffected might again be admitted to the privileges enjoyed by citizens of Georgia.

Arrangements were made for refunding the supplies and moneys advanced to soldiers in the field by officers and citizens during the progress of the Revolution. Bounties were offered to seamen who would man the two galleys ordered to be built

for harbor defense. Questions touching the creation of a suitable navy, the adjustment of the public accounts, the collection of arms in the hands of the militia, the equipment of troops, and the sale of confiscated estates, all received careful consideration. A plan was digested for protecting the southern frontier against depredations from East Florida.

In acknowledgment of his "great and useful services to his Country for which he is entitled to the notice and attachment of the Legislature," it was resolved that "the House which heretofore belonged to Mr. Tattnall in Savannah be granted to Colonel Jackson as a mark of the sense entertained by the Legislature of his merits."

Governor Martin was instructed to issue a proclamation calling upon the inhabitants of Savannah to assemble at a given time and place to inquire into the character of all persons deemed suspicious, and to tender the oath of allegiance to such as might be found worthy the privileges of citizenship.

On the 31st of July the committees, previously appointed for that purpose, reported that they had, upon the sales of confiscated estates, purchased for General Anthony Wayne, at a cost of £3,900, the plantation, late the property of Alexander Wright, containing eight hundred and forty acres; and for General Nathanael Greene, the plantation recently owned by Lieutenant-Governor John Grahame, containing two thousand one hundred and seventy-one acres, at a cost of £7,097 19*s*.

Realizing the propriety of establishing some definite rule by which outstanding debts might be equitably adjusted a committee was raised on the 4th of August to prepare a table showing the depreciation of the paper currency, month by month, from the first of January, 1777.

On the following day, which was the last of the session, Ædanus Burke was elected chief justice, with a salary of £500 per annum; John Milton, secretary of state, with a salary of £100; and Joseph Clay, treasurer, with a salary of £300. John Wereat and John Gibbons were chosen as auditors of accounts, with an annual salary of £300 each. Joseph Woodruff was appointed collector of customs for the port of Savannah at a salary of £150, and John Lawson, Jr., was selected to fill a like office for the port of Sunbury, at a salary of £50. John Gibbons was named as vendue master for the town of Savannah. It was a busy session, and the legislature adjourned to meet again in Savannah in October. Most earnest were its members in the

passage of measures which would conduce to the rehabilitation of the State.

Deplorable was the condition of Georgia. For forty-two long months had she been a prey to rapine, oppression, fratricidal strife, and poverty. Fear, unrest, the brand, the sword, the tomahawk, had been her portion. In the abstraction of negro slaves, by the burning of dwellings, in the obliteration of plantations, by the destruction of agricultural implements, and by theft of domestic animals and personal effects, it is estimated that at least one half of the available property of the inhabitants had, during this period, been completely swept away. Real estate had depreciated in value. Agriculture was at a stand-still, and there was no money with which to repair these losses and inaugurate a new era of prosperity. The lamentations of widows and orphans, too, were heard in the land. These not only bemoaned their dead, but cried aloud for food. Amid the general depression there was, nevertheless, a deal of gladness in the hearts of the people, a radiant joy, an inspiring hope. Independence had been won at great cost. It was prized all the more, and the sufferings endured in its acquisition were remembered only with pride. In the near future it was believed that all sorrows would be speedily forgotten, all losses rapidly repaired. Therefore there was no repining, and each, sharing the burthen of his neighbor, set about, and that right manfully, providing for the present and laying the foundations for prosperous and happy days.

The population of Georgia, as reported by Governor Wright[1] to the Earl of Dartmouth on the 20th of December, 1773, consisted of upwards of eighteen thousand whites and fifteen thousand blacks. If it be true, as Dr. Ramsay[2] suggests, that the State lost during the progress of the Revolution one thousand of her inhabitants and four thousand slaves, it appears scarcely probable, allowing a reasonable rate of increase and at the same time paying due regard to the retarding influences of the struggle, that Georgia, upon the conclusion, could claim many more inhabitants than she numbered at the inception of the war. We question whether her population aggregated more than thirty-five thousand. Unfortunately we find no data upon which to predicate a definite estimate.[3]

[1] P. R. O., Am. & W. Ind., No. 235.

[2] *History of the Revolution of South Carolina*, vol. ii. p. 370. Trenton. MDCCLXXXV.

[3] The troops contributed by Georgia to the continental army during the continuance of the Revolutionary War numbered two thousand six hundred and sev-

It would appear that Sir James Wright was quite opposed to the evacuation of Savannah. His views are forcibly presented in the following important document copied from the original in the Marquis of Lansdowne's collection: —

"On my departure from Tybee Island at the inlet from the sea to the town of Savannah, such part of the loyal refugees as were then collected there in order to embark on board the transports in consequence of the order from Sir Guy Carleton to evacuate the Province of Georgia, to the number of about 800, on the 5th of July last addressed me and most earnestly requested that I would lay before his Majesty a true and faithful state of the Province and of their sufferings and distresses in general and particularly by the cruel order for the evacuation.

"And the following I conceive to contain *a concise view of the situation of affairs there for three years past.*

"In March 1779 I was ordered out from hence by his Majesty with the rest of the King's officers in order to reëstablish his Majesty's civil government in Georgia, and I landed there on the 13th of July when I soon began to set about that pleasing work. But on the 12th of September following the Count d'Estaing landed the French Troops to the number of from six to seven thousand, and a few days after the Rebel General Lincoln joined him with about five thousand rebel forces[1] and laid close siege to the Town of Savannah attended with a most furious bombardment and cannonade which continued till the ninth of October when, by the blessing of God, they were totally defeated and routed by the united and spirited efforts of his Majesty's Troops and his loyal and faithful subjects there.

"After which we flattered ourselves with hopes that we should have been able to remain in peace and quietness, and to pursue such measures in our legislative capacities and otherwise as would most effectually promote and secure his Majesty's Government and authority in that Province, and show to others the great blessings resulting from peace, true liberty, happiness, and good order under his Majesty's mild and free government, and in which we had made some progress as by the several laws passed &c. and transmitted home may more fully appear.

enty-nine. When to these we add many partisans, never borne upon the rolls of the continental or state establishment, and who depended largely upon their own resources and exertions for arms, munitions, and subsistence, it will readily be perceived that almost the entire manhood of the republican element was actively enlisted in the warlike effort to achieve the independence of the Confederated States.

[1] These estimates of the strength of the allied army are exaggerated.

"And the Province was peopling very fast the latter end of the year 1780, when great numbers of loyal subjects were flocking in to settle, expecting his Majesty's protection and safety from the tyranny and oppression of Rebellion, and when the loyal subjects in that Province were beginning to raise their drooping spirits and to collect and improve the remains of their scattered and almost ruined and lost property.

"But alas these flattering hopes were not of long continuance, for after the reduction of So: Carolina and before the minds of the people were settled and wholly reconciled to a return to their allegiance and the authority of the King's Government, the troops were withdrawn and carried out of that Province, and the spirit of Rebellion still remaining amongst many of the inhabitants of South Carolina, no sooner were the Troops got to a distance from them than (as was clearly foreseen and mentioned) a general and very rapid revolt took place in that Province and a considerable number of Rebels from thence and of Georgia Rebels, who on the reduction of the Province fled into So Carolina, and some who remained in the back settlements of Georgia, began to raise commotions in those settlements and assassinated and otherwise cruelly murdered as many Loyalists as they could come at, and upwards of one hundred good men in the space of one month fell victims to their loyalty and the cruelty of the Rebels, and the Rebel Party increasing, the Loyalists found themselves overpowered and, receiving no assistance or protection from his Majesty's Troops (altho' frequently applied for by me in strong terms), they were at length, in order to save their lives, reduced to the dire necessity of quitting their very comfortable settlements in the Country and their whole property and come to the posts held by the King's Troops at Ebenezer and other places where they joined them in April, May, and June 1781, and carried arms and did constant duty with them from that time till they retreated to Savannah, when the Militia came with them. And these people with their wives and children amounted to about fourteen hundred in number; who, having been compelled to abandon their all, fled at different times to Savannah (almost naked and destitute of everything) where I conceived they could not be suffered to perish in our Streets for want of food and raiment, and the resources of the Province being all exhausted and gone, it became absolutely necessary to support them and draw bills on the Lords of the Treasury for the amount of the expense. And his Majesty's faithful subjects bore up against all

these misfortunes and distresses and voluntarily and cheerfully laboured many months in erecting fortifications and works of defence at Savannah and other parts of the Province, and in providing barracks and quarters for the Troops, and contributed everything possible towards the support of government, and flattered themselves happier times were not far off, especially as I had received on the 4th of February last a letter from his Majesty's Secretary of State declaring his Majesty's great satisfaction with the 'conduct, zeal, and affection of the Legislature for his Majesty's person and their firm attachment to the Constitution, and that the King had commanded him to acquaint me that I should '*assure them that his loyal and faithful subjects of Georgia may always rely upon his Majesty's protection and constant attention to their prosperity and happiness,*' and the people, encouraged by his Majesty's most gracious approbation of their conduct, and the assurances of protection and support, and stimulated by their unshaken loyalty and fidelity, were persevering in their exertions for the defence of the Province against a Rebel Force which had for some time infested the Town of Savannah and parts adjacent, and flattering themselves with a prospect of peace on Sir Guy Carleton's arrival at New York, when to their very great mortification, grief, and astonishment an order was received from him about the middle of June, dated at New York the 23d of May, for the evacuation of the Province and notifying 'That Transports might be daily expected not only to bring away the Troops with the Military and Public Stores of all sorts, but also myself and all such Loyalists as might choose to depart, with their effects.'

"And it was conceived by the Civil Power that there was no apparent necessity for evacuating the Province, at least such part of it as we then held, because there were then at Savannah 1,300 regular Troops, and at least 500 loyal Militia might have been added to them, and the Rebel Forces under General Wayne by the best information did not at any time exceed 500, besides some small straggling parties of Rebel Militia who were going about the Country murdering and plundering the loyal inhabitants in cold blood, and therefore it was apprehended that the force then in Savannah was full sufficient to hold and protect the parts then planted, unless a Foreign Force had come by sea or a very large reinforcement of Rebel Troops with cannon by land, and it was also conceived that instead of evacuating, had an addition of 500 more Forces been sent, it would have enabled us to

have drove the Rebels entirely out of the Province and to have opened the Country again as far as Augusta, which would have afforded a happy asylum for thousands of loyal, suffering subjects, and for which reinforcement I frequently and long applied to the King's Generals, *but without effect.* And I conceive that even holding what part we had would have been of the utmost importance by raising large quantities of provisions for the supply of the Army and West India Islands. Whereas by the sudden evacuation at the time it was ordered, crops of rice were left standing which would have been fit to reap in August, and full sufficient to produce at least (on a very moderate calculation) 10,000 barrels of 500 lbs. each, besides a very large quantity of Indian corn, peas, potatoes, and other provisions to a very great amount and value, and enough to support the Rebels for several years in great plenty, or which they may sell for a large sum of money, rice then selling at from five to six guineas per barrel. But alas! we were hurried away with our Negroes, without the least notice, and had not provisions for six weeks in hand for their future subsistence, whereas had this evacuation apparently *unnecessary* (for the reasons before given) been only delayed for a few months, we should have had plenty of provisions for years to have carried with our Negroes, or might have sold our crops to great advantage, but by the hasty evacuation the King's faithful and loyal subjects were most cruelly abandoned and reduced to the sad necessity of forsaking their valuable possessions, and which many hundreds did, and became overwhelmed in difficulties and distress which they are not able to surmount, and this rather than swerve from their allegiance.

"And I had several meetings and consultations with the Council to settle what was most advisable and proper to be done on that most critical, cruel, and trying occasion. And on the 21st of the said Month it was finally settled and determined by the unanimous voice of the Council, That Whereas there was the number of Rebel Troops hereinbefore mentioned then in the Province, and as the King's Troops were ordered away, it became impossible for the Crown Officers and other Loyal Subjects to attempt to withstand the said Rebel Forces or to remain in the Province, and more especially as the Rebel General Greene was then in So: Carolina within three easy days' march of Savannah, and was said to have with him upwards of 2,000 men, besides the Militia in that Province which he could soon raise. And thus circumstanced and plunged and reduced at once (from the

pleasing prospect of seeing Georgia a great and flourishing Province) into the utmost difficulties and distress, we found ourselves constrained to abandon our valuable estates and crops, and to quit the Province with such of our movable property as we could collect almost *instantly*, not having received the least previous notice.

"And thus the King's loyal and faithful subjects have been treated, and these *facts* I conceive in justice to them and to myself necessary to state, in order to show that I have not been wanting in my duty, and that the true and real situation of affairs in Georgia may appear, and whether there was any and what foundation for such a hasty and cruel evacuation.

"And I must beg leave to report and *assert* that the King's subjects in general in Georgia have from time to time given the *strongest* proof possible of their loyalty and firm attachment to his Majesty's person and government.

"I have the honor to be, with perfect esteem, my Lord, your Lordship's Most obed^{t} & most humb^{le} Servant,

JA. WRIGHT.[1]

"*September*, 1782."

With the exception of some disturbances on the northern frontier, caused by the Indians, the rest of the year 1782 brought no alarms to Georgia. Rejoicing in present freedom, and encouraged by the hope of assured peace, her citizens industriously meditated upon and perfected plans for the development of the agricultural and commercial resources of the commonwealth, and for the speedy accommodation of many troublesome questions growing out of the recent abnormal condition of affairs.

The last blood shed upon the field during the war was that poured from the mortal wound received by Colonel John Laurens, only twenty-seven years old, as with an inferior force he repelled a party of the British collecting provisions at Combahee ferry. "He had not a fault that I could discover," said Washington, "unless it were intrepidity bordering upon rashness." [2]

Careful search fails to disclose the proceedings of the adjourned session of the legislature in October, if any meeting was held.

By the General Assembly which convened in Savannah in January, 1783, that sterling patriot and worthy gentleman, Dr. Lyman Hall, was elected governor of Georgia. On the 31st of that month George Walton was selected to fill the position

[1] From the *Marquis of Lansdowne's Collection*, American Affairs, vol. lxvi.

[2] See Bancroft's *History of the United States*, vol. x. p. 565. Boston. 1874.

of chief justice, Samuel Stirk was appointed attorney-general, John Martin, treasurer, John Milton, secretary of state, Richard Call, surveyor-general, Joseph Woodruff, collector of the port of Savannah, and John Lawson, Jr., collector for the town and port of Sunbury. Registers of probate and assistant justices were named for the respective counties. Land offices were established and commissioners were designated to superintend the sales of confiscated property. The payment of the public debt was receiving due consideration. Officers and soldiers were rewarded with bounty warrants for military services rendered. William McIntosh, Samuel Stirk, and John Wereat, as commissioners on the part of the State, were negotiating with Governor Patrick Tonyn, of East Florida, for the accommodation of all differences and the prevention of disturbances along the line of the St. Mary's River. General Lachlan McIntosh, John Houstoun, and Edward Telfair were designated as proper parties to "settle and adjust the northern boundaries of Georgia," and to treat with such commissioners as might be selected by the State of South Carolina for that purpose. It was proposed to organize a "Court of Claims to determine the rights of contested property." Temples of justice and of religion were now open in the land. Provision was made for public education. The entire machinery of state government was in motion. Peace and independence had been formally conceded to the United States.

The infant Republic, no longer buffeted within the confines of its storm-rocked cradle, walked forth in the light of unclouded day an acknowledged member of the sisterhood of nations, and Georgia, youngest born of the Confederation, as a sovereign State entered upon a career of strength and of prosperity.

Thus have we endeavored, in all fidelity, to present the history of Georgia from the earliest period to the epoch of her elevation into the dignity of an independent commonwealth. Henceforward it will be our pleasure and privilege to trace her progress as augmenting daily in population and material wealth, developing year by year in resources and capabilities, and, through the intervention of wise constitutions, sage rulers, good government, educational advantages, commercial connections, and fruitful fields, encouraging the intelligence, the enterprise, the industry, the patriotism, and the virtue of her citizens, she has grown mightier with each generation until now the insignificant colony, planted by Oglethorpe upon Yamacraw Bluff, is saluted as the "Empire State of the South."

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